UNITED
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ORIGINAL: ENGLISH

LETTER DATED 9 AUGUST 1999 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward the attached press release issued by the Ministry of Foreign Affairs of the State of Eritrea on 8 August 1999 (see annex) expressing Eritrea's full and official acceptance of the Technical Arrangements proposed by the Organization of African Unity for the implementation of the Framework Agreement and the Modalities which both parties have accepted.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

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Annex

Press release issued on 8 August 1999 by the
Ministry of Foreign Affairs of Eritrea

Eritrea Accepts OAU Proposal on Technical Arrangements

Eritrea has officially accepted the Organization of African Unity (OAU) proposal on Technical Arrangements submitted to both parties at the end of this week. It has also "pledged its full cooperation with the OAU and the United Nations in implementing the three agreements - the Framework Agreement, the Modalities and the Technical Arrangements - as the sole basis for resolving the dispute".

President Isaias Afwerki informed the OAU delegation led by Algeria's special envoy, Ahmed Ouyahya, of Eritrea's acceptance in a meeting here yesterday evening. The Eritrean president has also sent Eritrea's official and written acceptance to the Algerian President and current Chairman of OAU, H.E. Abdelaziz Bouteflika.

The Technical Arrangements were worked out by technical experts from Algeria, OAU, the United Nations and the United States of America. The envisaged next steps are a formal signature of all three documents, a cessation of hostilities, redeployment, the instatement of civilian administrations and demarcation within specific time-frames.

The OAU delegation left Asmara today for Addis Abeba.

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GENERAL ASSEMBLY
Fifty-third session
Agenda items 41, 55, 76 and 149
THE SITUATION IN BOSNIA AND HERZEGOVINA
IMPLEMENTATION OF THE RESOLUTIONS OF
THE UNITED NATIONS
STRENGTHENING OF SECURITY AND COOPERATION
IN THE MEDITERRANEAN REGION
UNITED NATIONS DECADE OF INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-fourth year

Letter dated 6 August 1999 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to inform you that the resolution on the status of Yugoslavia in the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat, adopted at the seventh session of the Conference of the Contracting Parties to the Convention, Ramsar, Islamic Republic of Iran, 1971, held in San Jose, Costa Rica, from 10 to 18 May 1999, is null and void and has no legal effect because:

1. The Contracting Parties to the Ramsar Convention are not authorized to make a decision on the status of the Federal Republic of Yugoslavia in that Convention.

Such authorization is not contained in the Ramsar Convention, the Vienna Convention on the Law of Treaties 1969, the Vienna Convention on Succession of States in Respect of Treaties 1978 or any other general rule of international law.

2. Until the adoption of the above resolution, the Federal Republic of Yugoslavia participated regularly and as a full-fledged member in all conferences of the Contracting Parties (the Fifth Conference held in Kushir, Japan, 1993 and the Sixth Conference held in Brisbane, Australia, 1996), as well as in the work and meetings of organs and bodies established under the Ramsar Convention. The Federal Republic of Yugoslavia has regularly paid all its financial contributions arising from the Convention and is in possession of

proper certificates of payment of the Bureau. It should be noted that in 1995 and 1996, two new wetlands in the Federal Republic of Yugoslavia - Lake Skadar and Stari Begej, Carska Bara - were included in the list of wetlands of international importance, which can be seen from the special diplomas of the Standing Committee of the Convention.

3. The Contracting Parties to the multilateral treaties to which the Federal Republic of Yugoslavia is a Contracting Party have so far not raised this question. The fact is that the Contracting Parties have illegally excluded the Federal Republic of Yugoslavia from the work of some bodies and organs set up by these treaties, but have never made a decision to exclude it from the membership in multilateral treaties. On the contrary, the United Nations and regional organizations have emphasized all along that the Federal Republic of Yugoslavia is a Contracting Party to the multilateral treaties and insisted that it is obliged to adhere to their provisions.

In the preambular part of the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the United Nations on the status of the Office of the United Nations High Commissioner for Human Rights in the Federal Republic of Yugoslavia of 6 November 1998, it is stated that the Federal Republic of Yugoslavia is a State party to the Charter of the United Nations, the Universal Declaration of Human Rights, international covenants on human rights and other treaties. In the Agreement on the Organization for Security and Cooperation in Europe (OSCE) Kosovo Verification Mission of 16 October 1998, it is stated in article 8 that the Federal Republic of Yugoslavia accepts the OSCE Mission as a diplomatic entity in terms of the Vienna Convention on Diplomatic Relations.

In the decision on the competency of the International Court of Justice in a dispute between the Federal Republic of Yugoslavia and Bosnia and Herzegovina, the Court considered that the Federal Republic of Yugoslavia is a Contracting Party to the Convention on the Prevention and Punishment of the Crime of Genocide 1948 solely on the basis of a letter that the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations addressed to the Secretary-General of the United Nations on 27 April 1992 in which it is said that the Federal Republic of Yugoslavia shall continue all rights and undertaken obligations of the Socialist Federal Republic of Yugoslavia in international relations ..., including its participation in international treaties, ratified or acceded to by the Socialist Federal Republic of Yugoslavia.

4. The request contained in a letter of the Permanent Representatives of Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Slovenia (A/53/975-S/1999/615) that the Secretary-General of the United Nations consider the issue of the status of the Federal Republic of Yugoslavia in the Ramsar Convention and international conventions in general, exceeds his competencies in view of the fact that the Secretary-General has no authority to make decisions on the membership of the States in international conventions either on the basis of the tasks entrusted to him within the United Nations or as a depositary of international treaties.

5. According to articles 34 and 35 of the Vienna Convention on Succession of States in Respect of Treaties, the participation of the States in international

treaties of a predecessor State is regulated in the same way in case a part or parts of the territory of a State separate to form one or more States, whether or not the predecessor State continues to exist or when, after a separation of any part of the territory of a State, the predecessor State continues to exist.

6. In their letter addressed to the Secretary-General of the United Nations, the Permanent Representatives of Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Slovenia acted in a malicious and ill-intentioned way (mala fidae), motivated exclusively by political considerations with a view to inflicting harm on the Federal Republic of Yugoslavia. Some of these States have recognized in bilateral agreements its international legal continuity of the Socialist Federal Republic of Yugoslavia (article 5 of the Agreement on the Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia of 23 August 1996 and article 4 of the Agreement on the Regulation and Promotion of Cooperation between the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia of 8 April 1996).

From the above, it can be concluded that the Federal Republic of Yugoslavia is a Contracting Party to the Ramsar Convention.

I should be very grateful if you would have this letter circulated as a document of the General Assembly, under agenda items 41, 55, 76 and 149, and of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

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GENERAL ASSEMBLY
Fifty-fourth session
Item 77 (a) of the provisional agenda*
REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY: REGIONAL CONFIDENCE-BUILDING MEASURES: ACTIVITIES OF THE UNITED NATIONS STANDING ADVISORY COMMITTEE ON SECURITY QUESTIONS IN CENTRAL AFRICA

SECURITY COUNCIL
Fifty-fourth year

Letter dated 2 August 1999 from the Permanent Representative of Cameroon to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the report of the Subregional High-Level Seminar on the implementation of the recommendations contained in your report on the causes of conflict and the promotion of durable peace and sustainable development in Africa, held in Yaoundé (Cameroon) from 19 to 21 July 1999, as part of the programme of activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under item 77 (a) of the provisional agenda, and of the Security Council.

(Signed) Martin BELINGA EBOUTOU
Ambassador
Permanent Representative

* A/54/150.

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Annex

UNITED NATIONS STANDING ADVISORY COMMITTEE
ON SECURITY QUESTIONS IN CENTRAL AFRICA

REPORT OF THE SUBREGIONAL HIGH-LEVEL SEMINAR ON THE EXAMINATION AND IMPLEMENTATION OF THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS ON THE CAUSES OF CONFLICT AND THE PROMOTION OF DURABLE PEACE AND SUSTAINABLE DEVELOPMENT IN AFRICA

I. Introduction

As part of the programme of activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the Subregional High-Level Seminar on the Examination and Implementation of the Recommendations Contained in the Report of the Secretary-General of the United Nations on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa was held in Yaoundé from 19 to 21 July 1999.

It was decided to hold the Seminar at the tenth ministerial meeting of the countries members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, held in Yaoundé from 26 to 30 October 1998. The participants at that meeting stressed the importance of the recommendations contained in the report of the Secretary-General and gave the bureau of the Committee a mandate "to take appropriate steps to organize a high-level seminar aimed at facilitating implementation of the recommendations of relevance to Central Africa".

The following nine countries members of the Committee took part in the Seminar: Burundi, Cameroon, the Central African Republic, Chad, the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe. Angola and the Democratic Republic of the Congo were invited but did not attend.

So that the Seminar could fully achieve its objectives of promoting sustainable peace and development in Central Africa by suitably adapting the manner of implementation of the recommendations made by the Secretary-General in his report, each of the countries was represented by social categories whose influence on maintaining a climate of peace and security would be a determining factor: high-level civilian and military officials, parliamentarians and representatives of civil society.

The Secretary-General of the United Nations was represented at the Seminar by Mr. Halidou Ouedraogo.

The secretariat of the Seminar comprised Ms. Pamela Maponga, Ms. Lorian Austin, Ms. Nicole Moran, Mr. Ivor Richard Fung, Mr. Musifiky Mwanasali and Mr. Ferdinand Ngoh Ngoh.

The opening ceremony was chaired by Mr. Augustin Kontchou Kouomegni, Minister for Foreign Affairs of Cameroon and Chairman at the Ministerial level

of the United Nations Standing Advisory Committee on Security Questions in Central Africa.

The following public figures also graced the ceremony with their presence: Mr. Joseph Dion Ngute, Minister of State to the Ministry of Foreign Affairs of Cameroon, responsible for the Commonwealth; Mr. Adoum Gargoum, Minister of State to the Ministry of Foreign Affairs of Cameroon, responsible for the Islamic world; Mr. Emmanuel Edou, Secretary of State for Defence of Cameroon; and Mr. Antar Gassagaye, Secretary of State to the Ministry of Local Government of Cameroon.

Two important and inspirational speeches were given on this occasion, by Mr. Halidou Ouedraogo, senior officer from the United Nations Economic Commission for Africa representing the Secretary-General of the United Nations, and Mr. Augustain Kontchou Kouomegni, Minister of State for Foreign Affairs of Cameroon.

The participants decided to entrust guidance of the work of the Seminar to the bureau of the Committee.

The work of the Seminar was therefore chaired by Ambassador Martin Belinga Eboutou of Cameroon.

Ambassador Jacques Hakizimana of Burundi acted as Rapporteur.

Mr. Ivor Richard Fung, Director of the United Nations Regional Centre for Peace and Disarmament in Africa, made an introductory statement at the opening of the Seminar.

Mr. Augustin Kontchou Kouomegni, Minister of State for Foreign Affairs of Cameroon, also chaired the closing ceremony.

The Seminar covered the following subjects:

Theme 1: Typology of the conflicts and crises in Central Africa

Speaker: Mr. William Aurélien Eteki Mboumoua, Head of the United Nations Secretary-General's Advisory Mission on the Proliferation of Light Weapons in the Sahara-Sahel subregion

Theme 2: Mechanisms and methods for the peaceful resolution of conflicts and crises

Speaker: Mr. William Aurélien Eteki Mboumoua

Theme 3: Specific measures to prevent conflicts and insecurity in Central Africa

Speakers: Mr. Jean-Emmanuel Pondi and Mr. Laurent Zang

Theme 4: Peacemaking and peacekeeping measures

Speaker: Mr. Musifiky Mwanasali

Theme 5: Peace-building measures

Speaker: General Cheick Oumar Diarra

Theme 6: Promotion of international humanitarian law

Speakers: Mr. Gilbert Rufin Loubaki and Mr. Daniel Augstburger

Theme 7: Promotion of good governance and sustainable development

Subtheme 1: Promotion of good governance

Speakers: Mr. Jean-Jacques Ndoudoumou and Mr. David Abouem A. Tchoyi

Subtheme 2: Promotion of sustainable development

Speakers: Mr. Martin Zeh-Nlo and Mr. David Tchuinou

II. The work of the Seminar

Following the methodology proposed by the organizers, the Yaoundé Seminar gave rise to information-packed presentations on each theme given by high-level experts of recognized competence and experience, followed by dynamic and constructive exchanges with the participants and closing with relevant recommendations on specific measures to be taken in order to promote peace, security, stability and development in Central Africa.

1. Under the theme "Typology of the conflicts and crises in Central Africa", the Seminar reviewed the various causes of the conflicts which keep tearing the subregion apart. The factors driving these conflicts which the Seminar identified showed why internal conflicts clearly predominate: ethnic rivalries, general decline in the rule of law, democratic shortcomings on the part of the political authorities, defective governance policies, poverty and underdevelopment, identity-based political demands, politicization of ethnicity, shortcomings in reintegrating former combatants, lack of access to agricultural land, economic difficulties and other factors.

The fact that there are also a number of conflicts between States was also highlighted: the causes of these are, essentially, the desire for control of natural resources; the hunger for power; the problems created by refugees; territorial claims, border disputes and the like. Suitable proposals for solutions were made for each case.

2. Under the theme "Mechanisms and methods for the peaceful resolution of conflicts and crises", various methods of peaceful conflict and crisis resolution were examined which could be used in response to the problems facing

Central Africa: mediation, negotiation, good offices, fact-finding missions and judicial settlements.

The approach selected was by a historical analysis of the establishment of conflict prevention, management and resolution mechanisms within an Organization of African Unity (OAU) framework. This approach enabled the Seminar to identify the importance of and the need for international initiatives by States, political figures and international organizations to restore peace in armed conflict situations. It also highlighted the difficulties which peace efforts generally face, primarily intolerance, the lack of a real desire for peace, the thirst for revenge, the refusal to cooperate in good faith and various other impediments.

The discussion of the action taken by OAU and subregional organizations in Africa to find solutions to recent conflicts allowed the Seminar to pinpoint the need for preventive diplomacy based on, among other things, the creation of early-warning mechanisms and the involvement of representatives of civil society (customary chiefs, religious or community leaders, young people and so on) in implementing peace efforts; the need for forcible action to impose peace in some cases, in internal conflicts in particular; and the importance of developing close cooperation between the African regional organizations and the United Nations in matters of conflict prevention, management and resolution.

3. During the examination of the theme "Specific measures to prevent conflicts and insecurity in Central Africa", the speakers, after listing the vectors of conflict in Central Africa, went on to propose measures at the national, subregional and continental levels to contribute to enhanced prevention and management of crises and the maintenance of security.

The fragility of State institutions, the failure of democratic transitions, the exploitation of ethnic differences, the proliferation of paramilitary groups and the uncontrolled circulation of arms were again identified as the chief vectors of conflicts and insecurity in Central Africa. The indirect effects of the measures advocated by the Bretton Woods institutions and the handling by the mass media of African news stories were also cited.

The measures recommended in response to this situation emphasized the concept of sharing, the promotion of a culture of democracy, the inclusion of minorities, the rejection of marginalization, the strengthening of subregional cooperation, the use of mediation, and the reappropriation of democracy and the State through a greater focus on African values.

4. In the course of the examination of the theme "Peacemaking and peacekeeping measures", the participants considered the possibilities and problems of establishing in Central Africa peacemaking and peacekeeping mechanisms that could be utilized in case of conflicts or grave threats to peace.

Emphasis was placed in this respect on the need for confidence-building among the countries of Central Africa, in particular by organizing joint manoeuvres of their armed forces.

The importance of efforts to enhance the compatibility of arms and military equipment with a view to deploying subregional multinational forces in conflict areas was noted.

The discussion of training-related issues allowed the participants to reiterate the need to ensure that foreign assistance in this area took duly into account the concerns expressed by the countries of the subregion based on their specific objectives.

5. The theme "Peace-building measures" was devoted to consideration of the recommendations of the Secretary-General of the United Nations on the implementation of measures designed to reduce the risk of a resumption of conflict and contribute to creating the conditions most conducive to national reconciliation, reconstruction and recovery in countries emerging from conflict.

The participants emphasized the critical importance of these measures and the need to implement them as soon as conflicts cease. Generally, they include the re-establishment of institutions; the disarmament, demobilization and reintegration of the ex-combatants; the repatriation and resettlement of refugees and displaced persons; the promotion of democracy and good governance; the gradual reduction of the stock of small-calibre arms in circulation and the disarmament of the groups or individuals in possession of such weapons; the building of a culture of peace based on sound democratic practices and principles, tolerance and peaceful coexistence of ethnic groups; and the mobilization of domestic and international resources for economic reconstruction and recovery.

6. Under the theme "Promotion of international humanitarian law", the participants condemned the massive and repeated violations of the rules of international humanitarian law perpetrated in the course of the numerous conflicts that have taken place in Central Africa, mainly affecting the most vulnerable categories of the population (young people, children, civilians, refugees) and the staff of humanitarian organizations.

Emphasis was placed on the need to disseminate more widely the rules of international humanitarian law and to encourage respect for them, whether through the adoption of legislative measures, regulations and practical action to punish violations of international humanitarian law, or through their incorporation in military and civilian training programmes.

7. The recommendations of the Secretary-General of the United Nations on the promotion of good governance and sustainable development were examined within the framework of two subthemes.

Under subtheme 1, "Promotion of good governance", the participants sought to define the basic elements of the concept of good governance and examined its importance for the promotion of durable peace and sustainable development in Central Africa.

They noted the multifaceted nature of the concept, which combines political, ideological, economic, social, cultural and ethical criteria, and identified its main elements, such as transparency in public administration,

accountability, respect for human rights and legality, promotion of democracy and enhanced management of resources.

The discussion of subtheme 2, "Promotion of sustainable development" was an opportunity to emphasize the close link between peace and development.

The participants underlined the need for the countries of Central Africa to step up their efforts to create conditions conducive to economic growth and sustainable human development as a means of preventing conflicts. They also recognized that these efforts, vital though they were, would not be sufficient without the support of the international community, and in particular of international organizations and bilateral donors.

The consideration of each theme led to a wide-ranging and enriching exchange of views between the speakers and the Seminar participants.

The participants noted, as had Mr. Augustin Kontchou Kouomegni, Minister of State at the Ministry of Foreign Affairs of Cameroon, that several of the decisions adopted within the framework of the United Nations Standing Advisory Committee on Security Questions in Central Africa mirrored the recommendations made by the Secretary-General in his report.

III. Recommendations

At the conclusion of these discussions, the participants unanimously congratulated the Secretary-General of the United Nations, whose report on the causes of conflict and the promotion of durable peace and sustainable development in Africa constitutes, in their opinion, an excellent analytical reference document on conflicts in Africa.

The participants also expressed satisfaction at the felicitous decision to hold the Seminar, the calibre of the eminent figures and experts who prepared and presented the introductory statements, the broad participation by Central African States, the high rank of their representatives, and the practical arrangements made by the host country and the United Nations in order to ensure the Seminar's success.

While they emphasized the similarity between the ideas contained in the Secretary-General's report and those which had emerged during the discussions, the participants formulated and adopted the following recommendations:

1. Promotion of inclusive democracy

- Promotion of the holding of free and transparent elections in the countries of Central Africa;

- Strengthening of the rule of law and implementation of a democratic policy enabling all social forces and minorities to participate fully in political life;

- Dissemination of a culture of democracy and a culture of peace in Central Africa.

2. Promotion of the peaceful settlement of disputes

- Promotion of a continuous dialogue among the actors in national life, with none excluded, in order to consolidate the peace processes under way and prevent the outbreak of new conflicts;

- Strengthening of the role of civil society, in particular women's and youth organizations, in efforts to prevent and resolve crises and conflicts;

- Appointment of national mediators to defuse crises and prevent disputes from degenerating into armed conflicts, and establishment of a database of African mediators chosen on the basis of their credibility among the population;

- Establishment at the subregional level of information-sharing and educational networks with a view to enabling future leaders, and in particular young people and women, to build close relationships;

- Extension of the mandate of the United Nations Mission in the Central African Republic (MINURCA) until durable peace and security have been established throughout the territory of the Central African Republic.

3. Measures to combat illicit trafficking in and proliferation of light weapons

- Establishment of national commissions to combat the proliferation of light weapons;

- Request to the United Nations Secretary-General to establish an advisory mission on the proliferation of light weapons in the Central African subregion;

- Drafting of a Community charter on investments providing for coercive measures against companies funding armed militias;

- Establishment of a subregional register of conventional arms;

- Revision and harmonization of national laws on the bearing of arms;

- Disarmament and repatriation of the elements of the armed forces of the Democratic Republic of the Congo remaining in the territory of the Central African Republic, and provision of logistical support to the armed forces of the Central African Republic to enable them to maintain security effectively along the country's borders.

4. Promotion of cooperation in the fields of defence and security

- Promotion of non-military cooperation among the armed forces and security forces of the subregion;

- Acceleration of the process of preparing and conducting the joint exercises planned to simulate peacekeeping operations, named Biyongho-98;

- Promotion of closer cooperation among Ministries of Defence and other scientific ministries with a view to enhancing regional expertise in map-making;

- Establishment of a joint communication structure with responsibility for providing the international community with comprehensive information on Central African issues.

5. Promotion of international humanitarian law

- Acceleration of the process of establishing in Yaoundé a centre for the promotion of human rights and democracy, in accordance with the decisions taken at previous meetings of the Advisory Committee;

- Systematic inclusion of humanitarian issues on the agenda for the Committee's meetings;

- Systematic dissemination of the rules of humanitarian law, in particular through their incorporation in military and civilian training programmes;

- Establishment, through legislation and regulations, of mechanisms for the repression of violations of international humanitarian law;

- Incorporation in the internal legal order of the countries of Central Africa of the international legal instruments on the protection of children, women and refugees, particularly in time of armed conflict.

6. Promotion of a peacekeeping and peacemaking mechanism

- Development of cooperation among the countries of the subregion in strengthening peacekeeping capacity;

- Need for the speedy establishment of a body with responsibility for conflict prevention, management and resolution in Central Africa;

- Acceleration of the process of amending the basic documents of the Economic Community of Central African States (ECCAS) in order to allow for the integration in this institution of the Council for Peace and Security in Central Africa (COPAX), in accordance with the decision of the Central African Heads of State and Government meeting in Malabo on 24 June 1999.

7. Promotion of good governance

- Prioritization of the investment of the fruits of economic growth in reforms, measures and projects affecting the largest possible number

of people, in particular the most vulnerable sections of the population;

- Combating of discrimination against women and young people, or on grounds of ethnicity and regional origin, with respect to promotion to senior posts in Government and the public service;

- Prioritization of the involvement of young people and women in good governance programmes, and systematic development of a youth component in all such programmes;

- Establishment of good governance programmes in all Central African countries.

8. Promotion of sustainable development

- Intensification of efforts to promote social development and eradicate poverty in the countries of Central Africa;

- Promotion of social justice and elimination of all forms of discrimination in economic activity;

- Establishment in the countries of Central Africa of an environment conducive to investment and economic growth.

9. Strengthening of subregional integration

- Fresh impetus to economic integration and strengthening of multi-sectoral exchanges between the countries of Central Africa;

- Establishment of a subregional structure with responsibility for facilitating the implementation of the decisions of the ECCAS Heads of State regarding the movement of certain categories of persons and the management and protection of borders;

- Promotion of the integration of Central African nationals in the economic fabric of each country;

- Acceleration of the process of establishing a subregional parliament in Central Africa, in accordance with the decision of the Heads of State and Government of the countries members of ECCAS at the meeting held in Malabo in June 1999.

10. Miscellaneous

- Establishment in each country of a structure with responsibility for follow-up to the recommendations of the Seminar.

The participants expressed satisfaction at the cordial atmosphere that had prevailed throughout their work and thanked the President of the Republic of Cameroon, H.E. Mr. Paul Biya, and the people of Cameroon for the warm welcome and wonderful hospitality extended to them.

DONE at Yaoundé on 21 July 1999.

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GENERAL ASSEMBLY
Fifty-fourth session
Item 77 (a) of the provisional agenda*
REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY: REGIONAL CONFIDENCE-BUILDING MEASURES: ACTIVITIES OF THE UNITED NATIONS STANDING ADVISORY COMMITTEE ON SECURITY QUESTIONS IN CENTRAL AFRICA

SECURITY COUNCIL
Fifty-fourth year

Letter dated 2 August 1999 from the Permanent Representative of Cameroon to the United Nations addressed to the Secretary-General

I have the honour to transmit to you, enclosed herewith, the report of the high-level subregional seminar on the implementation of the recommendations contained in your report on the causes of conflict and the promotion of durable peace and sustainable development in Africa, held at Yaoundé, Cameroon, from 19 to 21 July 1999, within the framework of the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 77 (a), and of the Security Council.

(Signed) Martin BELINGA EBOUTOU
Ambassador
Permanent Representative

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Annex

UNITED NATIONS STANDING ADVISORY COMMITTEE ON
SECURITY QUESTIONS IN CENTRAL AFRICA

REPORT OF THE ELEVENTH MINISTERIAL MEETING OF THE
UNITED NATIONS STANDING ADVISORY COMMITTEE ON
SECURITY QUESTIONS IN CENTRAL AFRICA

INTRODUCTION

1. The eleventh ministerial meeting of the United Nations Standing Advisory Committee on Security Questions in Central Africa was held at Yaoundé, Cameroon, from 21 to 23 July 1999.

2. The following States members took part in the meeting: Burundi, Cameroon, Central African Republic, Chad, Congo, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Rwanda and Sao Tome and Principe. The Republic of Angola was unable to attend.

3. The representative of the Secretary-General of the United Nations and the Secretary General of the Economic Community of Central African States (ECCAS) also participated in the work of the meeting.

At the opening ceremony, statements were made by Mr. Halidou Ouedraogo, representative of the Secretary-General of the United Nations and Secretary of the United Nations Inter-Agency Task Force for African Economic Recovery and Development, who read out a message from the Secretary-General, and His Excellency Mr. Peter Mafany Musonge, Prime Minister, Head of Government of the Republic of Cameroon.

ADOPTION OF THE AGENDA

The Committee adopted the following agenda:

1. Adoption of the agenda

2. Interim report of the Bureau

3. Consideration of the report of the high-level subregional seminar on the consideration and implementation of the recommendations contained in the report of the Secretary-General of the United Nations on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318)

4. Consideration of the expert report to the eleventh ministerial meeting:

   A. Review of the geopolitical and security situation in Central Africa

B. Intergovernmental cooperation in security matters in Central Africa

C. Evaluation of the implementation of the decisions and recommendations of the tenth ministerial meeting of the Standing Advisory Committee

D. Establishment of an early warning mechanism

E. Organization of military exercises in connection with peacekeeping operations between the armed forces of the countries of Central Africa

F. Establishment of a subregional parliament in Central Africa

G. Establishment of a subregional centre for human rights and democracy

H. Establishment of a subregional mechanism for the prevention, containment and settlement of conflicts

5. Collaboration with the Secretariat General of ECCAS

6. Other matters

7. Adoption of the report of the eleventh ministerial meeting of the Standing Advisory Committee.

CONDUCT OF WORK

I. INTERIM REPORT OF THE BUREAU

The Committee took note of the interim report by His Excellency Mr. Augustin Kontchou Kouomegni, Minister of State for Foreign Affairs of the Republic of Cameroon, as Chairman of the Bureau at the ministerial level.

The Committee welcomed the efforts made by the Bureau to date to discharge the mandates entrusted to it by the tenth ministerial meeting, particularly those concerning the lifting of the embargo against Burundi, the extension of the mandate of the United Nations Mission in the Central African Republic (MINURCA), the holding of a high-level seminar on the report of the Secretary-General of the United Nations on conflicts in Africa and the holding of a summit meeting of the Heads of State and Government of the Central African countries on the establishment of a mechanism for the prevention, containment and settlement of conflicts and crises.

II. REVIEW OF THE GEOPOLITICAL AND SECURITY SITUATION IN CENTRAL AFRICA

Angola

The Committee endorsed the position of the Organization of African Unity (OAU) adopted recently at the Algiers Summit and the relevant Security Council resolutions on the situation in Angola. It expressed deep concern at the impasse prevailing in that country and recommended that a subregional summit meeting be convened urgently in order to break the deadlock.

The Committee mandated the Bureau to undertake appropriate initiatives to that end.

Burundi

The Committee welcomed the positive developments in Burundi and, in particular, the consolidation of the agreement on the political platform between the Government and the National Assembly, and encouraged the transition institutions currently in place to continue to take new initiatives to promote genuine national reconciliation.

The Committee also welcomed the suspension of the embargo which had been declared unjustly against Burundi.

The Committee appealed urgently for mediation so that all the parties to the conflict might be invited to and participate in the inter-Burundian talks being held in Arusha.

It called for the rapid declaration of a ceasefire in order to halt the massacres of innocent civilians.

The Committee also appealed urgently to the international community to support the Government's efforts, in particular, by resuming its economic cooperation aimed at alleviating the suffering of the bruised and battered Burundian people.

Cameroon

The Committee welcomed the strengthening of the climate of peace and stability in Cameroon. It welcomed the imminent adoption of a national good governance programme which would create the most favourable conditions for durable peace and sustainable development.

In view of the impact of the border dispute between Cameroon and Nigeria on peace and security in the subregion, the Committee welcomed the observance by the two countries of the Geneva Conventions, through the exchange of prisoners of war carried out on 24 November 1998 under the auspices of the International Committee of the Red Cross (ICRC).

The Committee, while reiterating its appeal to the international community and friendly countries to assist in maintaining peace between Cameroon and

Nigeria before, during and after the verdict of the International Court of Justice, requested the Court to take the necessary steps to ensure a rapid conclusion of the proceeding currently before it.

The Committee again urged Nigeria to comply strictly with the interim measures of protection laid down by the Court in its ruling of 15 March 1996, and called upon the two parties to refrain from taking any action that could create difficulties for the application of the final judgment of the Court.

The Committee welcomed the high-level contacts held between Cameroon and Nigeria with a view to promoting a climate of peace and harmony in their bilateral relations. It expressed the wish, accordingly, for the international community to contribute to strengthening the climate of confidence created by those contacts and to encourage the two countries to refrain from taking any action that could undermine the integrity of their respective territories.

The Committee expressed concern at the ongoing cross-border phenomenon of roadblocks, the illegal circulation of small-calibre weapons and weapons of war and the increase in organized crime.

Congo

The Committee was informed of the positive developments in the Congo since the bloody events of December 1998.

It noted with satisfaction the restoration of peace, the reintegration into the army of 430 followers of former President Pascal Lissouba, the return of some political exiles to Brazzaville and of populations displaced by the war to their respective districts, the control of the entire national territory by the Government and the forthcoming Panafrican Music Festival, to be held in Brazzaville from 1 to 8 August.

It welcomed the efforts made by the Congolese authorities to restore peace and foster national reconciliation, particularly the clearly expressed willingness of President Denis Sassou-Nguesso to open a dialogue with all sons and daughters of the Congo.

The Committee appealed solemnly to the entire Congolese people to adhere fully to this desire for peace and national harmony by putting an end to the use of violence, thus committing itself firmly to the task of rebuilding the country and relaunching the democratic process.

The Committee reiterated its appeal to the international community to support the Congo in its efforts to rebuild the country.

Gabon

The Committee welcomed the climate of peace and political stability in Gabon.

It expressed concern at the grave situation created in Gabon by the massive influx of refugees from warring neighbouring countries and again appealed

urgently to the United Nations, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR), and to the international community to provide assistance to Gabon with a view to meeting the varied needs of the refugees and helping the country to stem the danger posed by the entry of armed refugees into its territory.

Equatorial Guinea

The Committee welcomed the climate of peace and political stability prevailing in Equatorial Guinea following the latest legislative elections held in May 1999, which had brought three political parties into the National Assembly.

The Committee expressed concern, however, at the incursions to which Equatorial Guinea had been subjected as a result of rivalries between foreign powers over the country's natural resources.

Democratic Republic of the Congo

The Committee appealed urgently for the rapid conclusion of a ceasefire in the Democratic Republic of the Congo and respect for the national sovereignty and territorial integrity of that country.

It welcomed the recent signing of the Lusaka accord by the Heads of State and Government of the countries affected by the war in the Democratic Republic of the Congo and urged the other parties concerned to do likewise. It called upon all parties to respect the terms of the agreement.

It strongly recommended the opening of a national dialogue among all sons of the Democratic Republic of the Congo and the convening of a summit meeting of the Heads of State and Government of the Central African countries on the issue.

Central African Republic

The Committee welcomed the gradual restoration of peace and security to the Central African Republic following the serious crises generated by the successive rebellions in 1996 and 1997, thanks to the combined efforts of the Central African people, the Inter-African Mission to Monitor the Implementation of the Bangui Agreements (MISAB) and MINURCA.

It took note of the continuing programme to collect weapons circulating in the country carried out with the assistance of MINURCA. It expressed support for the national programme to demobilize and reintegrate soldiers, which is part of the restructuring of the Central African armed forces.

The Committee welcomed the decision of the International Monetary Fund (IMF) to provide the Central African Republic with a grant for the purpose of liquidating a portion of the wage, retirement pension and scholarship arrears, which would undoubtedly contribute to pacifying the social climate.

The Committee expressed satisfaction at the steps taken by the Government of the Central African Republic to ensure that the next presidential election

was held in conditions of peace and security. The Committee welcomed the support provided by the international community for the holding of the election.

The Committee expressed concern at the massive influx into the Central African Republic of refugees and combatants fleeing the Democratic Republic of the Congo. It appealed to the international community to assist the Central African Republic in coping with the situation, which could jeopardize the as-yet fragile peace in that country.

While welcoming the efforts made by the United Nations to restore durable peace in the Central African Republic, the Committee called for an extension of the current mandate of MINURCA.

The Chairman of the Bureau was mandated to undertake initiatives to that end vis-à-vis the Security Council and the Secretary-General of the United Nations.

Rwanda

The Committee welcomed the restoration of peace and the economic recovery in Rwanda, while encouraging the country to persevere in the search for peace and dialogue. It took note of the holding of local elections in that country at the end of 1998 and the decision of the Forum of Parties making up the Government of National Unity to extend the transition period by four years.

It welcomed the improvement of the security situation in Rwanda and the recent signing of the Lusaka accord. It urged all the parties concerned to comply strictly with the terms of that agreement in order to foster the establishment of durable peace and sustainable development in the region.

Sao Tome and Principe

The Committee welcomed the climate of peace and stability that obtained in Sao Tome and Principe and the efforts made by the Government to promote economic recovery thanks to the encouraging prospects that were emerging.

The Committee welcomed with satisfaction the commitment of Sao Tome and Principe to work towards the eradication of the conflicts causing upheaval in the Central African subregion and its determination to express solidarity with countries whose populations had suffered the devastating impact of war.

Chad

The Committee welcomed the efforts made by the Government of the Republic of Chad in matters of peace and security, as well as respect for human rights and fundamental freedoms.

It noted with satisfaction the consolidation of the process of stabilizing the institutions that had emerged from various consultations and the continuation of the policy of dialogue initiated by President Idriss Deby.

Nevertheless, it expressed concern about the continuing cross-border phenomena of the illegal circulation of small-calibre weapons, drug trafficking and roadblocks, as well as the difficulties of reintegrating demobilized soldiers.

III. INTER-STATE COOPERATION IN SECURITY MATTERS IN CENTRAL AFRICA

The Committee took note with satisfaction of the actions and initiatives taken by the States members within the framework of cooperation in security matters aimed, in particular, at lessening tension and combating insecurity in the border areas, as well as making it possible to have exchanges between the various national structures dealing with these questions.

In view of the cross-border nature of most of the security problems in the subregion and owing to the need to respond to them in a joint and concerted manner, the Committee again strongly recommended greater cooperation and dialogue among the security forces of the Central African countries, particularly within the framework of periodic meetings and the organization of joint operations.

The Committee particularly welcomed in this regard:

- The meetings between the Gabonese and Congolese authorities on the security problems in the south of Gabon, caused by the influx of refugees and the infiltration of armed elements coming from the Congo;

- The cooperation between the security forces of Gabon and Cameroon which had, in particular, led to the recent transfer by the Gabonese authorities of criminals who had committed offences in Cameroon;

- The periodic meetings of joint commissions on the borders between Chad and Cameroon;

- The meetings between the military authorities of the Democratic Republic of the Congo and the Central African Republic on the population movements on the borders of the two countries.

The Committee expressed grave concern about the proliferation of small-calibre weapons and weapons of war in the subregion. It welcomed the forthcoming holding in Chad of a subregional conference on this question in preparation for the twelfth ministerial meeting scheduled for October 1999.

The Committee expressed concern about the resurgence of organized crime and insecurity in the countries in the subregion, particularly the development of the phenomenon of roadblocks. It recommended the holding of a high-level meeting on the question at which the establishment of an appropriate legal framework for cooperation in the matter would, in particular, be envisaged.

The Committee also recommended the establishment of an anti-crime fund. The Bureau was mandated to study and propose ways and means of allocating sufficient resources to the fund.

Recalling the importance of the Non-Aggression Pact concluded in 1996 between the countries of Central Africa for peace and security in the subregion, the Committee invited the countries that had signed the Pact to ratify it. It recommended that the Bureau should draw the attention of the countries which had not yet done so to the need to sign and/or ratify the Pact so that it could enter into force before 2000. The Committee also requested the States members to sign the Mutual Assistance Pact before 2000.

Aware of the need to strengthen cooperation in peace and security matters in the subregion, the Committee welcomed the signing at Yaoundé in April 1999, during the meeting of the Committee of Central African Police Chiefs, of the agreement on criminal police cooperation. It appealed to the countries which had not yet done so to take all necessary steps to proceed to the rapid signing of this text and guarantee its full effectiveness.

The Committee expressed grave concern about the security problems created in the subregion by the massive influx of refugees and armed elements coming from other countries. It advocated increased bilateral contacts aimed at lessening the tension aroused by this situation. It also requested the Bureau to take the initiatives needed for the holding of a high-level meeting to consider ways and means of solving the resulting problems.

IV. EVALUATION OF THE IMPLEMENTATION OF THE DECISIONS AND RECOMMENDATIONS OF THE TENTH MINISTERIAL MEETING OF THE STANDING ADVISORY COMMITTEE

A. Establishment of an early warning mechanism

The Committee took note of the advancement of the project to establish an early warning mechanism and welcomed the decision of the Gabonese Government to provide premises for the mechanism in Libreville.

The Bureau of the Committee was mandated to contact the United Nations with a view to the holding of a meeting to launch the early warning mechanism to be attended by ECCAS, the host country of the mechanism, the United Nations and OAU.

B. Organization of military exercises in connection with peacekeeping operations between the armed forces of the countries of Central Africa

The Committee, after taking note of the meeting of the chiefs of the armed forces general staffs and the meeting of military experts of ECCAS member States, held in Gabon from 1 to 3 May 1998 and from 1 to 25 June 1998, respectively, stressed the importance of joint simulation exercises for peacekeeping operations as an effective means of promoting confidence and strengthening comradeship-in-arms and the operational capacities of the armed

forces of the Central African countries in maintaining peace. It therefore reaffirmed its wish to plan and carry out exercises of this type.

The Committee mandated the Bureau to take all appropriate steps to:

- Finalize the documentation for the Biyongho-98 exercise project designed by the military experts of the Committee;

- Obtain from the States members of the Committee a substantial contribution making it possible to hold the exercise during the second half of 2000;

- Expedite the initiatives undertaken vis-à-vis the United Nations, other international organizations and donor countries concerning the request for a logistic and financial contribution for the effective implementation of the project.

C. Establishment of a subregional parliament in Central Africa

The Committee took note with satisfaction of the developments in the project to establish a subregional parliament in Central Africa, particularly the decision taken by the Heads of State and Government of the countries in the subregion, meeting at Malabo, Equatorial Guinea, in June 1999, to set up a network of parliamentarians for that purpose.

The Bureau of the Committee was mandated to convene an urgent meeting of subregional experts and parliamentarians charged with studying the modalities for the implementation of the network and securing the financing necessary for its functioning.

D. Establishment of a subregional centre for human rights and democracy

The Committee welcomed the initiatives undertaken by the Bureau and all of its members vis-à-vis the Office of the United Nations High Commissioner for Human Rights (UNHCHR) with a view to the establishment of the subregional centre for human rights and democracy.

It expressed appreciation to the United Nations High Commissioner for Human Rights, Ms. Mary Robinson, for her efforts to realize the project to establish the centre, and welcomed the forthcoming appointment in Yaoundé, Cameroon, of an official of UNHCHR as regional adviser for the launching of the project.

E. Establishment of a subregional mechanism for the prevention, management and settlement of conflicts

The Committee took note with satisfaction of the developments in the implementation of the project, particularly:

- The establishment by the Heads of State and Government of the countries in the subregion, meeting at Yaoundé, Cameroon, on 25 February 1999, of a Council for Peace and Security in Central Africa (COPAX);

- The decision taken by the Heads of State and Government of Central African countries, meeting at Malabo, Equatorial Guinea, on 24 June 1999, to integrate COPAX into the structures of ECCAS.

The Committee mandated the Bureau to provide assistance to the Secretariat General of ECCAS with a view to expediting the revision of the Treaty establishing the Community, decided on at the Malabo Summit, in order to make it possible for COPAX to be launched rapidly.

V. CONSIDERATION OF THE REPORT OF THE HIGH-LEVEL SEMINAR ON THE IMPLEMENTATION IN CENTRAL AFRICA OF THE RECOMMENDATIONS CONTAINED IN THE REPORT OF THE SECRETARY-GENERAL OF THE UNITED NATIONS ON THE CAUSES OF CONFLICT AND THE PROMOTION OF DURABLE PEACE AND SUSTAINABLE DEVELOPMENT IN AFRICA

The Committee took note of the report and the recommendations of the high-level seminar on the implementation in Central Africa of the recommendations contained in the report of the Secretary-General of the United Nations on the causes of conflict and the promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318), and congratulated the participants on the relevance and high quality of the results of their work.

The Committee mandated the Chairman of the Bureau to transmit the conclusions of the seminar to the member States, the Secretary General of ECCAS, the Secretary-General of OAU and the Secretary-General of the United Nations with a view to their implementation.

VI. COLLABORATION WITH THE SECRETARIAT GENERAL OF ECCAS

Taking into account the decisions adopted by the Heads of State and Government of the Central African countries at the summit meeting held in Malabo, Equatorial Guinea, the Committee requested the Bureau to discharge its various mandates in close collaboration with the Secretariat General of ECCAS.

VII. OTHER MATTERS

The Committee stressed the need to hold at least one meeting of the Bureau before its own meetings.

The Committee urged the member States to pay their contributions regularly to the special fund set up to finance its activities.

Yaoundé, 23 July 1999

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General Assembly
Security Council

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9 August 1999
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GENERAL ASSEMBLY
Fifty-third session
Agenda items 40 and 155
THE SITUATION IN THE MIDDLE EAST
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 9 August 1999 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to refer the agreement reached on 14 July 1999 to observe annually the Day of Lebanese Prisoners in Israeli Prisons.

The Kingdom of Saudi Arabia affirms its support for the Lebanese people and for its call for the restitution of all its legal rights through the implementation of Security Council resolution 425 (1978) and requests the international community and all governments throughout the world to work for the release of all Lebanese and Arab detainees unjustly held in the Khiam prison centre and in Israeli prisons.

Israel is holding 170 Lebanese hostages in its prisons, 128 of them in the Khiam prison centre and 42 in prisons inside Israel (Ashkelon, Ayloun and Nafha), as well as 10 Palestinian residents of Lebanon. Israel inflicts the worst forms of physical and mental torture on these detainees in closed prisons, isolated from the outside world, and does not allow humanitarian and human rights organizations to have contact with these prisoners, the majority of whom are being detained administratively and without trial. When they are released, a large number will emerge with permanent ailments and chronic diseases that are difficult to treat. In addition to Israeli legislation on the holding and torture of hostages, the Israel Supreme Court stated on 12 November 1997 that the Lebanese detainees were hostages and a bargaining card, something which is a blatant and unprecedented violation of international law.

The Government of the Kingdom of Saudi Arabia calls on the international community, and anticipates your own efforts in that regard, Mr. Secretary-General:

To secure the immediate release of the sick, the young and the elderly;

To secure the release of all of those who have served their sentences at Ayloun;

To put an end to the practice of torture and harsh treatment which demeans the human dignity of the Lebanese detainees;

To send an international commission of inquiry to the Khiam prison centre and to bring to trial those Israeli officers who have perpetrated acts of torture;

To ensure that all the prisoners are able to meet their families, lawyers, the International Committee of the Red Cross and humanitarian organizations;

To condemn the ruling of the Israel Supreme Court by which it acknowledged the Lebanese prisoners as hostages, and to request that that ruling be repealed as a blatant violation of the Universal Declaration of Human Rights;

To have the mock trials of the prisoners declared null and void because they violate international law.

You are well aware, Mr. Secretary-General, as is the international community, of the continuation of these tyrannical and illegal practices against Lebanon. The Government of the Kingdom of Saudi Arabia hopes that you will spare no effort to have them stopped, to assist the prisoners and to set matters right.

I should be grateful if you would have this letter distributed as a document of the General Assembly, under agenda items 40 and 155, and of the Security Council.

(Signed) Fauzi Bin Abdul Majeed SHOBOKSHI
Permanent Representative

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Security Council

Distr.
GENERAL

S/1999/862
9 August 1999

ORIGINAL: ENGLISH

QUESTION OF EAST TIMOR

Report of the Secretary-General

1. The Security Council, by its resolution 1246 (1999) of 11 June 1999, established the United Nations Mission in East Timor (UNAMET) to organize and conduct a popular consultation. In accordance with that resolution, the United Nations is authorized to operate in East Timor throughout the consultation process, which ends by the announcement of its results. However, in accordance with the Agreement between the Republic of Indonesia and the Portuguese Republic on the question of East Timor signed on 5 May 1999 (hereinafter referred to as "the 5 May Agreement") (A/53/951-S/1999/513, annex I), the United Nations will be required to play a substantive role in East Timor in the post-ballot period.

Post-ballot scenarios

2. The 5 May Agreements provide for the United Nations to play a significant role in the implementation of either possible result of the consultation. Should the East Timorese vote to accept autonomy, the constitutional framework for a special autonomy (ibid., appendix) gives the Secretary-General of the United Nations the responsibility and the authority to monitor and verify the implementation of autonomy for East Timor and to establish such offices as are deemed necessary to do so in the Special Autonomous Region of East Timor (SARET). Additionally, the autonomy framework requires the Secretary-General to appoint a broadly representative Transitional Council, which would remain in place until the election of the Regional Council of People's Representatives of the SARET, which the Secretary-General is called upon to monitor and verify.

3. Should the consultation result in a rejection of autonomy, the 5 May Agreement provides that Indonesia, Portugal and the Secretary-General shall reach agreement on arrangements for the peaceful and orderly transfer of authority in East Timor to the United Nations. The Secretary-General shall then, subject to the appropriate legislative mandate, initiate the procedure enabling East Timor to begin a process of transition towards independence.

Interim phase

4. There will be an interim phase between the conclusion of the popular consultation and the start of the implementation of its result, during which the

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parties will undertake the necessary steps, legal and otherwise, for implementation to begin. Under article 7 of the 5 May Agreement, the Governments of Indonesia and Portugal requested the Secretary-General to maintain an adequate United Nations presence in East Timor during this period, regardless whether autonomy is accepted or rejected in the popular consultation. The purpose of the present report is to convey to the Security Council my views concerning this presence.

5. During this interim phase, the situation in East Timor will be rather delicate as the Territory prepares for the implementation of the result of the popular consultation, whichever it may be. Thus the United Nations efforts must be redoubled following the ballot to build confidence and support stability in the Territory and reassure all groups, in particular those who were in the minority in the ballot, that they have a role to play in the future political life of East Timor. In order to do this, the United Nations should be closely involved in the work of East Timorese bodies. The establishment of an interim representative council, and subsequently an elected representative council, foreseen in the special autonomy proposal, would also be highly desirable if autonomy is rejected. It would be highly desirable if this body could be established before or immediately following the ballot. The United Nations will also liaise with and advise the Indonesian authorities and maintain close contact with pro-integration and pro-independence groups. Again, these tasks would be the same under either ballot outcome. A further important task for the United Nations during the interim phase will be to prepare to adjust its role for the implementation of either option.

Restructuring of UNAMET

6. In order to accomplish these tasks, I wish to propose to the Council that UNAMET continue through the post-ballot period until the implementation phase of the result, and that its tasks and structure be adjusted in the manner described in the paragraphs below. One aim of these adjustments would be to ensure a United Nations presence in all 13 regencies (districts) of East Timor.

Electoral component

7. As the United Nations Volunteers serving as district electoral officers will have completed their task of conducting the ballot process, the majority of them will be withdrawn, although a portion, those with requisite skills and background to fulfil other tasks outlined herein, may be retained in order that the Mission may continue to draw upon their expertise and experience in East Timor. The electoral component itself would be temporarily reduced to a unit that would plan and prepare for the monitoring of the election of the Regional Council which is foreseen in the autonomy plan or for elections that will take place if autonomy is rejected. The unit will also assist in developing an appropriate legal framework, institutions and technical capacity for elections in either scenario.

Civilian police component

8. The police component would be increased to 410 to enable it to operate in all 13 regencies (districts). It would continue to advise the Indonesian

police. It would be augmented by a small team to prepare for the recruitment and training of a new East Timorese police force, a requirement in both scenarios. The training personnel would eventually number about 50, bringing the overall strength of the police component to close to 460.

Military component

9. The military liaison component would be increased to 300 to enhance its capacity to cover all areas. It would continue to be deployed in all 13 districts. United Nations military liaison officers would liaise with the Indonesian armed forces, pro-integration militias and Falintil. They would also be in a position to advise on security matters as required, including efforts aimed at the disarmament of Falintil and the militias and the redeployment of the Indonesian armed forces and, as agreed by the parties, to monitor their implementation.

Civil affairs component

10. In order to continue to advise and assist the Special Representative for the East Timor popular consultation in monitoring the implementation of the 5 May Agreement, fostering reconciliation among East Timorese and maintaining liaison with the Indonesian authorities and other actors on the ground, the civil affairs component, hitherto the political component, would continue to monitor political and other developments in East Timor and their impact on the maintenance of political stability. The component will also assist the Special Representative for the East Timor Popular Consultation in the formation and development of a Representative Council, which will be necessary under either outcome. It will also assist in promoting respect for the rule of law and human rights and will cooperate with the Government, relevant national institutions, NGOs and other international and local partners to this end. Some additional humanitarian staff will be needed to coordinate the provision of humanitarian assistance, including assistance to internally displaced persons (IDPs), as well as to ensure timely contingency planning for potential humanitarian problems in the post-ballot period. To perform the tasks of the component, civil affairs officers will also be stationed in the 13 regencies (districts). The component's staff would be augmented accordingly.

Public information

11. Under either outcome, UNAMET will continue to require a public information capacity, including access to the media. During the post-ballot phase, it will be especially important to keep the people of East Timor and the international community informed of the progress made towards the implementation of the outcome, as well as disseminating a message promoting reconciliation, confidence and peace and stability.

Law and order

12. During the interim period, the Indonesian authorities will continue to be fully responsible for the maintenance of law and order, specifically the police, as affirmed by the 5 May Agreement. I trust that Indonesia will take all steps necessary to discharge this responsibility effectively during this particularly

delicate phase. As previously reported, cooperation between UNAMET and the Indonesian Task Force in Dili has been good. I trust that this will continue to be the case in the post-ballot phase.

Financial aspects

13. The General Assembly, in its resolution 53/240 of 29 June 1999, appropriated an amount of $52,531,100 gross for UNAMET for the period from 5 May through 31 August 1999. Cost estimates for the extension of UNAMET for the three-month period and the adjustments proposed in the present report will be submitted to the General Assembly shortly.

Observations

14. The Agreement of 5 May constitutes an historic opportunity for the people of East Timor to shape the future of the Territory. Following the popular consultation, it will be the shared responsibility of the parties to the 5 May Agreement, the United Nations, the international community and indeed the people of East Timor to capitalize upon this opportunity and bring to a successful conclusion the long-standing issue of East Timor. For its part, UNAMET will do its utmost to fulfil its responsibility impartially and effectively. In turn, the parties to the 5 May Agreement will have to undertake the necessary steps, legal and otherwise, to fulfil their commitments to implement the result of the ballot in an orderly manner.

15. The interim period was the main subject of discussion at a meeting of senior officials of Indonesia, Portugal and the United Nations in mid-July, and the two Governments have been informed of the proposals contained in the present report.

16. In view of the time required for carrying out the proposed adjustments, I recommend that the Security Council positively consider the recommendations regarding the composition of UNAMET as soon as possible and authorize them for an initial period of three months from the date of the popular consultation scheduled for 30 August 1999.

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Security Council

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S/1999/863
11 August 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993, 936 (1994) of 8 July 1994, 955 (1994) of 8 November 1994, and 1047 (1996) of 29 February 1996,

Noting with regret the resignation of Mrs. Louise Arbour taking effect on 15 September 1999,

Having regard to Article 16 (4) of the Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (S/25704) and Article 15 of the Statute of the International Tribunal for Rwanda (S/RES/955 (1994), Annex),

Having considered the nomination by the Secretary-General of Ms. Carla Del Ponte for the position of Prosecutor of the above Tribunals,

Appoints Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia and the International Tribunal for Rwanda with effect from the date on which Mrs. Arbour's resignation takes effect.

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10 August 1999

ORIGINAL: ENGLISH

LETTER DATED 6 AUGUST 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 6 August 1999, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 6 August 1999 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on the operations of the Stabilization Force (SFOR). I would appreciate your making this report available to the Security Council.

(Signed) Javier SOLANA

Enclosure

Monthly report to the Security Council on the operations of the Stabilization Force

1. Over the reporting period (21 June-20 July), there were approximately 30,100 troops deployed in Bosnia and Herzegovina and Croatia, with contributions from all North Atlantic Treaty Organization (NATO) allies and 16 non-NATO countries. Stabilization Force (SFOR) troops continued to conduct surveillance and reconnaissance by means of ground and air patrols, with combat aircraft flying approximately 105 hours. During the reporting period, the only changes in the force size and composition were the withdrawal of a Norwegian company with approximately 150 personnel and armoured vehicles and a Russian reinforced company, which temporarily left as part of the advance party for KFOR in Kosovo.

2. SFOR continued to monitor entity compliance with the provisions of Security Council resolution 1160 (1998), which prohibits the transport of weapons into the Federal Republic of Yugoslavia, with an intensified presence on the ground in order to enforce the intent of the embargo. There have been encouraging results from the increase in efforts to discover weapons either voluntarily handed over by the entities or uncovered by SFOR.

3. On 6 July, SFOR troops in multinational division south-west, acting within their mandate, detained an individual indicted for war crimes by the International Tribunal for the Former Yugoslavia. The individual, Radislav Brdjanin, was later transported to The Hague.

4. During the reporting period, the overall situation became more stable. The general atmosphere in Republica Srpska is much less tense since the end of the Kosovo conflict. There has been no evidence of any planned anti-SFOR/ international organization activities in the theatre. With high profile events such as the recent indictee arrest and commemorations of the fall of Srebrenica, no openly hostile attitudes or behaviour towards SFOR have been noted. SFOR continued to ensure compliance with the Peace Agreement and undertake routine framework operations in order to ensure that the tension and unrest in the region did not jeopardize the stability in Bosnia and Herzegovina. Operations mounted by the multinational divisions across the SFOR area continued area reconnaissance, surveillance involving ground and air patrols, and weapon storage site inspections, as well as support to international organizations in theatre.

Cooperation and compliance by the parties

5. Despite NATO action against the Federal Republic of Yugoslavia, the entities remain substantially compliant with the military aspects of the Peace Agreement. However, throughout the reporting period tensions remained in contested areas, and acts of intimidation and violence occurred with the attempted return of minority displaced persons and refugees. Incidents occurred during late June in the areas of Bijelina, Dobor, Banja Luka and Prijedor. The issues of the return of minority displaced persons and refugees will continue to strain inter-ethnic relations, and SFOR continues to provide surveillance and

security in support of the flow of refugees into their former houses in Bosnia and Herzegovina.

6. During the reporting period, a total of 351 military weapons storage sites inspections were carried out by SFOR, including 144 Bosniac, 41 Bosnian Croat, 146 Bosnian Serb and 20 Federation site inspections.

7. Following the lifting of the training and movement ban for the entity armed forces on 21 June, normal training and movements have been conducted in compliance with the instructions to the parties. However, as a result of non-compliance with the instructions to the parties, the ban on the Republica Srpska Police Anti-Terrorist Brigade remains in effect until further notice. In total, 805 training and movement activities have been monitored: 310 Bosniac, 78 Croat, 365 Bosnian Serb and 52 Federation. However, at the meeting of the Joint Military Commission on 17 June it was judged that the level of compliance by all entity armed forces with regard to training and movement had been encouraging and that, as a result, SFOR would undertake a complete review of training and movement regulations.

8. The summer demining campaign has continued, with 44 entity armed forces teams conducting 825 mine-clearing operations and removing 3 anti-tank mines, 95 anti-personnel mines and 30 unexploded ordnance from 75,731 square metres of land. However, a Republica Srpska Army (VRS) dispute over non-payment of allowances to deminers has arisen. While soldiers' basic wages have been paid normally, the dispute concerns an additional allowance for soldiers employed in humanitarian demining that was negotiated within VRS last year.

Cooperation with international organizations

9. Within capabilities, and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in Bosnia and Herzegovina, including the International Police Task Force (IPTF), the Office of the High Representative, the Organization for Security and Cooperation in Europe (OSCE) and the Office of the United Nations High Commissioner for Refugees (UNHCR). SFOR has provided security support to IPTF and local police in dealing with disputes over returns of displaced persons and refugees and has continued its presence in sensitive areas to guarantee a secure environment after the Brcko arbitration decision and to monitor the exhumation campaign of the International Tribunal for the Former Yugoslavia. SFOR supported the return of the international organizations to the Republica Srpska as the threat diffused, and continued to provide guidance on the present security situation and its likely development.

10. After prolonged lobbying by SFOR, the Office of the High Representative and OSCE, agreement was reached at the meeting of the Standing Committee on Military Matters (SCMM) held on 15 July, to establish a permanent secretariat for SCMM, representing the entity ministries of defence and the entity armed forces. The secretariat began its work on 19 July. Furthermore, SCMM agreed to establish two working groups. One of the groups, comprising the entity armed force commanders, will consider detailed proposals to reduce the armed forces of the Republica Srpska and the Federation by 15 per cent by the end of the year. The

other, comprising the entity defence ministers, will draw up proposals on a common security policy for Bosnia and Herzegovina.

11. Sarajevo, Mostar, Banja Luka and Tuzla airports now have authorized operating hours of 0400-2000 GMT for civilian traffic.

Outlook

12. The Stabilization Pact Summit, scheduled for the last week of July, will focus the attention of all local entities and the international community. SFOR will continue to monitor the situation closely in the light of the situation in Kosovo. Isolated incidents can be expected as a result of the return of refugees and displaced persons.

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ECONOMIC AND SOCIAL COUNCIL
Substantive session of 1999
Geneva, 5-30 July 1999
Agenda item 7
COORDINATION, PROGRAMME AND OTHER QUESTIONS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 31 July 1999 from the President of the Economic and Social Council to the President of the Security Council

I have the honour to refer to your letter of 7 April 1999 by which you confirmed that the Security Council, through its resolution 1212 (1998) of 25 November 1998, intended to invite the Economic and Social Council to contribute to the designing of a long-term programme of support for Haiti.

As you are aware, the Economic and Social Council, by its resolution 1999/4 of 7 May 1999, decided to create an Ad Hoc Advisory Group on Haiti with the mandate of submitting to the Council, at its substantive session of 1999, recommendations on how to ensure that international community assistance to the efforts to support the Government of Haiti in achieving sustainable development was adequate, coherent, well coordinated and effective. The Permanent Representatives of Indonesia (Chairman), Brazil, Latvia and Mauritius and the Deputy Permanent Representative of Canada were appointed to form the Advisory Group. Haiti's authorities were consulted by the Advisory Group at all stages of the preparation of its report.

It is now my privilege to inform you that the Economic and Social Council, on the basis of the report presented by the Advisory Group (E/1999/103) at its substantive session of 1999, recently held in Geneva, adopted resolution 1999/11 of 27 July 1999, in which it welcomed the report and confirmed the essence of all of its recommendations, including recommendations for consideration by the General Assembly, as well as requests addressed to the Secretary-General and the different components of the United Nations system. In that resolution, the Council, inter alia, called on the Secretary-General to take the necessary steps to develop on a priority basis a long-term strategy and programme of support for Haiti in such areas as education, peace-building, poverty eradication, social integration, productive employment, trade, durable recovery and sustainable development and recommended that the long-term development programme of support

for Haiti address the issues of capacity-building of governmental institutions, especially in areas such as governance, the promotion of human rights, the administration of justice, the electoral system, law enforcement, police training, and other areas of social and economic development.

Given the previous action of the Security Council with respect to Haiti, of particular interest may be the recommendations made to the General Assembly, in paragraph 8 of Economic and Social Council resolution 1999/11, to review all aspects of the mandate and operations of the International Civilian Mission in Haiti and to consider renewing the mandate of the United Nations component of the Mission and, in paragraph 10, to consider devising a United Nations special training and technical assistance programme for the Haitian National Police.

I trust that this contribution by the Economic and Social Council will serve to strengthen the continued resolve of the United Nations to support Haiti, complementing the Security Council's own efforts in that regard, and to enhance the cooperation between two of our main organs, as contemplated in Article 65 of the Charter of the United Nations.

(Signed) F. Paolo FULCI

UNITED
NATIONS

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Security Council

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S/1999/866
10 August 1999

ORIGINAL: ENGLISH

LETTER DATED 6 AUGUST 1999 FROM THE PERMANENT REPRESENTATIVE OF SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith an article published in the Washington Post on Sunday, 25 July 1999, entitled "A Dirty Business", in which the paper gave full details about the United States mistake in bombing the Al-Shifa pharmaceutical factory, on 20 August 1998, on false allegations (see annex).*

1. The paper recalled the statements made by the American officials after the attack, one by Defense Secretary, Mr. William Cohen. When he was asked about the Al-Shifa plant, he replied "What we do know is the facility that was targeted in Khartoum produced the precursor chemicals that would allow the production ... of VX nerve agent". He expressed no doubt about Al-Shifa's links to Osama bin Laden. "We do know that he has had some financial interest in contributing to this particular facility". Mr. Cohen added, "We have no evidence - or have seen no products, commercial products that are sold out of this facility".

2. The paper mentioned another statement by the National Security Adviser, Mr. Samuel Berger, referring to the "so-called pharmaceutical factory in Khartoum, which we know with great certainty produces essentially the penultimate chemical to manufacture VX nerve gas".

3. According to the paper, the United States officials did not know at the time - by their own subsequent admissions - who owned the plant. They literally did not know whom they were dealing with. They did not know that the United Nations had approved a contract eight months prior to the attack for the purchase of veterinary pharmaceuticals from the Al-Shifa factory.

4. Concerning the American allegations that they had physical evidence that the plant had produced a nerve gas and that they had collected a soil sample containing a chemical EMPTA that was used in the production of VX, the paper revealed that Dr. Thomas D. Tullius, chemistry department Chairman at Boston University, and a team composed of chemical and environmental experts examined

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* The annex is reproduced in the language of submission.

soil samples from the plant and the result came back in early January from two leading European laboratories, including TNO Prins Maurits in The Hague, one of the top dozen labs in the world for chemical weapons testing. All were negative. Using the two most advanced techniques in the world, neither laboratory found that EMPTA could have broken down into another compound in the soil. A scientist at TNO Prins Maurits injected EMPTA into a sample of soil from the plant. He discovered that EMPTA broke down very rapidly in soil from the Al-Shifa plant into a substance called EMPA - a substance that could then be expected to remain present in the soil for years.

5. The team concluded that Al-Shifa was a legitimate pharmaceutical plant designed to repackage imported pharmaceutical product and could not possibly manufactured any chemical, let alone EMPTA or VX nerve gas.

6. The paper stated that representative Porter J. Goss, Chairman of the House Intelligence Committee and a former CIA case officer, said he has yet to discover what went on inside the Clinton administration in terms of selecting Al-Shifa as a target, but he intends to find out. Goss said he recently sent out a reminder to those involved that he has no intention of letting the matter drop. The next time a president contemplates firing cruise missiles at terrorists, Goss said, the Government needs to have a clear system of accountability in place.

7. Senator Richard C. Shelby, Chairman of the Senate Intelligence Committee, said that he too has two basic unanswered questions about the attack on the Al-Shifa factory that he intends to have answered: Did intelligence officials have any role in recommending Al-Shifa as a target?; and Did policy makers in the Clinton administration have sufficient evidence to warrant a missile attack on a sovereign nation?

8. Patrick Eddington, a former CIA photo analyst, said he has reviewed satellite imagery of the plant before and after the strike released by the Pentagon and found no indications whatsoever of military fortifications typical of chemical weapons installations. His opinion: Al-Shifa was a pharmaceutical plant.

9. Milt Bearden, former CIA station chief in the Sudan and a leading critic of the Al-Shifa attack, stated that the real failure in this case lies with the White House for targeting the plant, not with the CIA and its "handful of dirt". He believes the CIA never recommended targeting Al-Shifa, a decision he attributes to policy makers at the White House and the Pentagon. "There's something wrong here", Bearden said. "This won't go away."

10. The article by the Washington Post is further evidence refuting the United States allegations regarding the Al-Shifa pharmaceutical plant and providing cogent and irrefutable proof of what the Sudan has for long been saying and communicating to the Security Council on this issue.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

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Annex

A Dirty Business

Because of a cupful of soil, the U.S. flattened this Sudanese factory. Now oneof the world's most respected labs, and some of Washington's most expensive lawyers,say Salah Idris wasn't making nerve gas for terrorists, just ibuprofen for headaches.

By Vernon Loeb
Washington Post Staff Writer
Sunday, July 25, 1999; Page F01

For a man on vacation, Bill Clinton looked somber and drained. "Good afternoon," the president said, peering into a bank of television cameras. "Today I ordered our armed forces to strike at terrorist-related facilities in Afghanistan and Sudan because of the threat they present to our national security."

So the world first learned, one August afternoon almost a year ago, that the United States had attacked the El Shifa Pharmaceutical plant in Khartoum, Sudan. Clinton interrupted his summer vacation on Martha's Vineyard to make the dramatic announcement, just two weeks after terrorist bombs had devastated two U.S. embassies in East Africa.

Hours earlier, 66 Tomahawk cruise missiles had wiped out training camps in the Afghan mountains and 13 demolished what the president described as "a chemical-weapons-related facility in Sudan." Both targets, the president said, were linked to terrorist financier Osama bin Laden, believed to have masterminded the embassy attacks.

"Today we have struck back," the president said.

Within a matter of days, however, Clinton's missile attack on El Shifa would explode anew as evidence mounted indicating that the facility was making pain medication, not nerve gas. A growing chorus of critics around the world seemed unconvinced by the administration's "compelling" evidence: a soil sample secretly obtained by a CIA agent near the plant said to contain a known precursor chemical to deadly VX nerve gas.

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"Never before," former CIA official Milt Bearden would say months later, "has a single soil sample prompted an act of war against a sovereign state."

A world away, Salah Idris, a Saudi magnate who had purchased El Shifa just five months before the attack, remembers thinking there had been some terrible mistake. As problematic as the episode would soon become for the Clinton administration, it was a full-blown catastrophe for Idris--and losing a $30 million factory was just the half of it.

"He went to bed a major businessman--a millionaire hundreds of times over--and woke up a major terrorist," said his attorney, George R. Salem, a partner at the powerhouse Washington law firm of Akin, Gump, Strauss, Hauer & Feld. "He figured all the administration needed to be told was--'This is Salah Idris, a prominent Saudi businessman who owns the plant. You've made a serious mistake. Let's deal with this quietly.' But it became immediately clear that wasn't going to happen."

So Idris decided to fight back against the most powerful nation on Earth--Washington-style. He took out his checkbook and hired himself a $3 million dream team of former U.S. officials, chemists, environmental engineers and public relations men, including a former special assistant to Attorney General Robert Kennedy, the CIA's former London station chief and a spin doctor best known for his work on behalf of CBS and Mike Wallace during the celebrated libel trial filed by retired Gen. William Westmoreland.

Beyond the obvious international implications of firing volleys of cruise missiles at impoverished Third World nations, this is a story about how one very rich man maneuvered the Clinton administration into federal court and watched it fold without a fight, even as senior officials continued to defend the attack against all criticism. And the battle may not be over.

Both the House and Senate intelligence committees are still probing the missile strike. And the dream team is itching to get into court one more time, having drafted a second suit aimed at fully compensating Idris for the loss of his pharmaceutical factory, and the loss of his name.

Back in Washington, shortly after Clinton announced the attack, a reporter at the Pentagon asked Defense Secretary William Cohen a question he was undoubtedly dreading:

"Some Americans are going to say this bears a striking

resemblance to 'Wag the Dog.' Have you seen the movie?"

The film was about a president--caught in a sex scandal with a young girl in the White House--who declares a phony war on Albania to divert the nation's attention, which gave the film a certain currency. Just three days before the missile strikes, Clinton had met with prosecutors to answer questions about his extramarital affair with Monica S. Lewinsky and then addressed the nation about the relationship.

Cohen was stone-faced. "The only motivation driving this action today was our absolute obligation to protect the American people from terrorist activities," he said.

Asked about El Shifa, Cohen spoke with certitude. "What we do know is the facility that was targeted in Khartoum produced the precursor chemicals that would allow the production . . . of VX nerve agent." He expressed no doubt about El Shifa's links to bin Laden. "We do know that he has had some financial interest in contributing to this particular facility."

A senior intelligence official soon followed Cohen to the lectern and had more to say about El Shifa and its links to bin Laden. "First, we know that bin Laden has made financial contributions to the Sudanese military-industrial complex. That's a distinct entity of which, we believe, the Shifa pharmaceutical facility is part. We know with high confidence that Shifa produces a precursor that is unique to the production of VX."

He added: "We have no evidence--or have seen no products, commercial products that are sold out of this facility. The facility also has a secured perimeter, and it's patrolled by the Sudanese military. It's an unusual pharmaceutical facility."

Over at the White House, Clinton's national security adviser, Samuel R. "Sandy" Berger, was referring to the "so-called pharmaceutical factory in Khartoum, which we know with great certainty produces essentially the penultimate chemical to manufacture VX nerve gas."

U.S. officials did not know at the time--by their own subsequent admissions--who owned the plant. They literally did not know whom they were dealing with.

Idris, in London at the time of the bombing, thought at first that his factory had been accidentally destroyed during an American attack on Khartoum. But soon, watching Clinton address the nation on CNN, he realized the attack was no

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accident.

"When the president was addressing the nation, it was a very difficult time for me," Idris later recalled in an interview. "I had only owned this plant for five months. I was shaken for some time."

Idris said his first instinct was to come forward and tell the U.S. government that he owned the plant, wasn't a terrorist and wasn't making nerve gas. "I kept making every personal assurance of my personal readiness to come to the States at any time, to make myself available, to answer any personal concerns they might have."

But the Clinton administration was unmoved. The Treasury Department responded to his entreaties by sending a simple one-page order to the Bank of America four days after the missile strike freezing $24 million of Idris's assets on deposit in accounts in the United Kingdom, "pending investigations of interests of Specially Designated Terrorists"--bin Laden and his presumed associates.

Idris hardly fit the profile of a terrorist. The son of a tailor from a town in the north of Sudan, Idris, 47, graduated from the University of Cairo's Khartoum branch, moved to Saudi Arabia in 1976 and started working as an accountant at the National Commercial Bank, where he became a protege of the bank's proprietor and chief executive officer, Sheikh Khalid bin Mahfouz. The Mahfouzes are a well-known business family in Jiddah and, through the NCB, have banking connections to the Saudi royal family, staunch U.S. allies who expelled bin Laden in the first place.

Idris formed his own small export firm in 1933 and became ever closer to bin Mahfouz. When his mentor became embroiled in the Bank of Credit and Commerce International (BCCI) banking scandal in the early 1990s, Idris handled bin Mahfouz's personal affairs and basically ran the bank. When bin Mahfouz resumed his duties, he made Idris the bank's manager of international accounts.

By the time Idris left the bank in 1998 and purchased El Shifa, he was a very rich man--with a lot to lose. Immediately after the missile attack, he called a prominent Saudi journalist and businessman, Othman Al-Omair, at OR Media Ltd. in London. Al-Omair happened to be meeting at the time with George Salem of Akin, Gump. Both had known and worked with Idris for years. "He came to us and said, 'Please help me.' That was the essence of it," recalled Salem, a Palestinian American who

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had served as solicitor of labor from 1985 to 1989, during the Reagan administration.

Soon, Salem had John Scanlon, managing director of crisis communication at DSFX International in New York, drafting Idris's declaration of innocence for release to the media worldwide. Best known for his spin-doctor work for CBS and Mike Wallace during the Westmoreland trial, Scanlon detected an "aura of cynicism" among his reporter friends, a willingness to believe Idris and disbelieve the White House.

"The bombing took place on August 20, three days after the president's grand jury testimony," Scanlon recalled. "And it was clear at the outset that administration officials had all the facts wrong."

In Khartoum, a day after the attack, Sudanese President Lt. Gen. Omar Hassan Bashir mounted a podium in Martyr's Square adorned with pictures of Clinton and Lewinsky. "Screw Monica, Not Sudan," read a banner draped across the stage.

"This is a wicked president," Bashir told a crowd of 10,000. "This president lied to the whole world and to his people," Bashir said, "and he is still lying."

He and other Sudanese officials realized immediately that Clinton's bombing of El Shifa gave their scorned government a rare moment in the sun. They wasted little time challenging every claim coming out of Washington about the plant, its purpose, its ownership. El Shifa, they said, wasn't heavily guarded, and it clearly did make an array of pharmaceuticals.

Indeed, the United Nations approved a contract eight months prior to the attack for the purchase of veterinary pharmaceuticals from El Shifa.

In the face of these assertions, Berger revealed three days after the attack that the administration had "physical evidence" that the plant had produced a nerve gas precursor. But he said he couldn't reveal the evidence without compromising intelligence sources.

The following day, with a parade of Western journalists trooping through the bombed-out ruins of El Shifa and a stream of television footage showing piles of dark brown ibuprofen bottles in the rubble, a senior U.S. intelligence official did what Berger had ruled out only the day before and revealed the evidence: a soil sample scooped up by a CIA asset containing a chemical, EMPTA, that was used only in the

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production of VX.

Its presence, the official said, led U.S. intelligence officials to the "unambiguous conclusion" that El Shifa had been used to make a chemical involved in nerve gas production.

But questions continued to mount as an American consultant, a British engineer and an Italian pharmaceutical executive who'd been intimately involved with aspects of the plant all stepped forward and said there was no way it was making a nerve gas precursor.

Their comments soon prompted the CIA to take a shot at stemming the tide, revealing that it had obtained the soil sample from a "vetted and polygraphed" intelligence agent from another country in the Middle East as part of a lengthy covert operation that had discerned ties between El Shifa and Iraq.

"We see a connection with this plant and the Iraqis--that draws our attention to it," one senior intelligence official explained. "We go and sample--and we get a hit on the most powerful precursor, EMPTA, for VX that we can identify. That's the web."

In any intelligence situation, the official said, "you're always dealing with a mixture of evidence and inference . . . and we think in this case, as you add it all up, it's a very strong case."

At Akin, Gump's well-appointed offices just off Dupont Circle, Salem and his partners were hard at work picking holes in the government's case. They mixed evidence and inference and reached the opposite conclusion. But representing a client who is presumed guilty is not an easy thing to do.

"We decided very quickly that we had to establish in a way that was provable in court that, number one, the man was clean, and number two, the plant was clean," Salem recalled.

Conducting daily conference calls with Idris and his other advisers in London, Khartoum and Jiddah, Salem peered out the picture window of a prestigious corner office once occupied by Vernon Jordan, senior partner and close friend of the president, overlooking the garden of the Historical Society of Washington.

By late August, Salem had been joined on Idris's defense team by three other Akin, Gump partners. William G. Hundley, a defense lawyer in white-collar criminal cases and firm legend

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who made his name as special assistant to Attorney General Robert F. Kennedy, headed the team. He was then in the news for representing Jordan in the Lewinsky case before special prosecutor Kenneth Starr's grand jury.

Joining him and Salem were Mark J. MacDougall, a litigator who had previously worked as a Justice Department bank fraud prosecutor, and Steven R. Ross, a lawyer-lobbyist who had served as general counsel to the House of Representatives from 1983 to 1993.

To fully investigate their own client's background, the lawyers quickly hired E. Norbert Garrett, a former CIA station chief in Kuwait, Cairo and London now working in the London office of Kroll Associates, a leading private-eye firm. All the team lacked was a chemist who could oversee the collection of a whole new set of soil samples from the wrecked plant site in Khartoum as part of an exercise to refute--or confirm, if worse came to worst--the CIA's sample. In early September, MacDougall chose Thomas D. Tullius, chemistry department chairman at Boston University and one of the few experts he could find who didn't have some kind of government contract related to chemical weapons research.

In the back of everyone's mind at Akin, Gump were two troubling possibilities that had to be ruled out: (1) Idris might have had some inadvertent connection to bin Laden; (2) he might have purchased the plant from a nerve gas manufacturer without even knowing it.

"Had our tests come back with EMPTA in the soil, we all would have looked a little foolish pushing this case," MacDougall said. Had the firm not been able to refute the CIA's soil sample, he said, it would have had real difficulty proceeding against the government in court.

Tullius dispatched a British environmental engineer in October to take a set of samples from the El Shifa site and instructed him to document a precise "chain of custody" that would enable the defense to show later in court exactly who had access to the samples.

The engineer gathered samples, not only from the soil around the plant but also from laboratory areas inside the plant that remained covered by the plant's mangled roof. He also found the plant's "soak-away," a collection tank through which all drainage from the plant's laboratory areas passed.

The results came back in early January from two leading

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European laboratories, including TNO Prins Maurits in the Hague, one of the top dozen labs in the world for chemical weapons testing. All were negative. Using the two most advanced techniques in the world, neither laboratory found EMPTA in any of the samples. To guard against the possibility that EMPTA could have broken down into another compound in the soil, a scientist at TNO Prins Maurits injected EMPTA into a sample of soil from the plant. He discovered that EMPTA broke down very rapidly in soil from the El Shifa plant into a substance called EMPA--a substance that could then be expected to remain present in the soil for years.

So TNO then tested all the samples again for the presence of EMPA. None was found. The Prins Maurits scientist also injected EMPTA into a sample of sludge from the plant's soak-away but found that it did not break down in this environment. Tullius said he considered this the key sample--a time capsule of everything that went on in the plant.

Tullius concedes that all of his testing doesn't necessarily prove that the CIA couldn't have found EMPTA in the soil outside the plant. That would be virtually impossible to prove. "Somebody can always say, 'We dug in the right place and you didn't,' " he said.

What Tullius is prepared to testify to in court, however, is that one of the best laboratories in the world failed to turn up EMPTA or EMPA in any of the samples in minute traces measured in 10 parts per billion.

"We tried to find it, we did the extra studies and didn't just stop at EMPTA," Tullius said. "There was no EMPTA or EMPA in any of our samples."

The investigators at Kroll in London completed their work at just about the same time, sending Akin, Gump a 318-page investigative report on Idris's background. The report disputed, in painstaking detail, every substantive point made by U.S. officials against Idris and the El Shifa plant.

Garrett, having led a Kroll team that interviewed five dozen individuals in Sudan, Jordan, Egypt and the United Arab Emirates, found no evidence linking Idris to bin Laden or any other terrorist in any way--and lots of evidence to the contrary. Idris told them he'd never met bin Laden. "We had to review that claim," Garrett said. "And it held up."

Kroll concluded that El Shifa was a legitimate pharmaceutical plant designed to repackage imported pharmaceutical products

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and could not possibly have manufactured any chemical, let alone EMPTA or VX nerve gas. Kroll found no ties between the plant and either the Iraqis or the Sudanese military industrial complex and determined that the complex was lightly guarded by unarmed men dressed in overalls.

A senior U.S. official scoffed at Kroll's findings. "It's hardly a surprise that an investigation sponsored by Idris would conclude that he is not linked to Sudan's chemical weapons program or to Osama bin Laden's terrorist network," the official said.

But the Kroll investigation of Idris's background does not read like a whitewash. Garrett concluded that Idris did not research El Shifa thoroughly before purchasing the plant for $30 million. He also noted the possibility that a prior investor in the plant may have had commercial ties to bin Laden.

His most troubling conclusion, however, involved Idris's apparent connections to Sudan's dominant political power, the National Islamic Front, and its leader, Hassan Turabi, a man who reportedly had close ties to bin Laden when the terrorist lived in Khartoum in the early 1990s.

Garrett quoted numerous Western and Arab sources as saying that Idris would not have been able to establish a business empire in Sudan without some type of close working relationship with the NIF. He also quoted sources as saying that Idris and his entourage enjoy unprecedented freedom in traveling in and out of the country.

But the evidence, they conclude, is inconclusive. Idris himself denies ever having made a payoff to anyone in the NIF, and other sources told Kroll investigators that Idris's wealth and position as a dominant investor in the country were enough to afford him the privileges he enjoys.

By late January, still hoping to negotiate some kind of settlement with the Clinton administration, Hundley and MacDougall invited representatives from the Justice Department, the Treasury Department, the CIA and the House and Senate intelligence committees to a presentation at Akin, Gump's offices.

Garrett flew in from London, and Tullius came down from Boston with his PowerPoint slide presentation, eager to show those assembled precisely where he had gathered soil samples, using an architect's model of the El Shifa plant. But only a couple of staffers from the House committee showed up.

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Out of options, Akin, Gump filed suit on Idris's behalf three weeks later, alleging that the Treasury Department had frozen $24 million of Idris's assets in the United Kingdom without designating him a terrorist or formally declaring that he is linked to a designated terrorist, as the law demands.

With his lawyers hard at work drafting a second suit demanding $30 million in compensation for the plant, Idris had chosen a conservative, incremental approach by initially focusing only on his frozen assets. But even his narrowly drawn suit had the effect of daring the government to back up its claims and formally declare him a terrorist.

The suit was pending when PBS's "Frontline" aired a documentary in April about the August missile strikes. Interviewed on camera, national security adviser Berger backed off substantially from earlier claims that the plant was "producing" a precursor to VX nerve gas.

"I don't think that--I think that is not necessarily the case," Berger told "Frontline." "I think it is certainly true that the plant was associated with chemical weapons."

Three weeks later, on the day in early May when the government's response to Idris's lawsuit was due to be filed, MacDougall got a call from a Justice Department attorney. MacDougall agreed to meet the attorney in his office, figuring the government would either ask for an extension or name Idris as a "specially designated terrorist."

Instead the government lawyer told MacDougall matter-of-factly that Treasury had just filed an order unfreezing Idris's assets. " 'I think the case is now moot,' " MacDougall remembers the lawyer saying.

"I think you're right," MacDougall replied.

Just like that, Salah Idris had taken a giant step toward reclaiming his reputation. But there would be no letter of exoneration from Uncle Sam, no apology from the White House. Asked later in the day whether the government's move finally cleared Idris's name, a White House spokesman said absolutely not. Stopping well short of linking him to bin Laden, the spokesman said nonetheless that the administration continued to have "concerns" about Idris, based on his business dealings in Sudan with "reprehensible" partners.

"Our concerns regarding Mr. Idris are based on sensitive

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intelligence sources and methods," the official said. "We're not prepared to expose these sources for the purpose of blocking Idris's money."

Lawsuit in hand, Akin, Gump waits for Idris to pull the trigger. But Hundley understands why his client is taking his time. "MacDougall and I are certainly prepared to try this case, but I can't give Idris any assurances that we're going to win. I just can't," Hundley said. "I recognize that there are real legal problems, particularly when the government hides behind this national security screen. And he doesn't want to be viewed as anti-American."

The wheels of justice grind slowly, meanwhile, up on Capitol Hill. Rep. Porter J. Goss (R-Fla.), chairman of the House Intelligence Committee and a former CIA case officer, said he has yet to discover what went on inside the Clinton administration in terms of selecting El Shifa as a target--but he intends to find out.

Goss said he recently sent out a reminder to those involved that he has no intention of letting the matter drop. The next time a president contemplates firing cruise missiles at terrorists, Goss said, the government needs to have a clear system of accountability in place

Was El Shifa a legitimate target?

"I'm not sure that I know enough about the certification of the target to make any kind of judgment on that yet," he said.

Sen. Richard C. Shelby (R-Ala.), chairman of the Senate Intelligence Committee, said that he, too, has two basic unanswered questions about the attack on El Shifa that he intends to have answered.

Did intelligence officials have any role in recommending El Shifa as a target?

Did policymakers in the Clinton administration have sufficient evidence to warrant a missile attack on a sovereign nation?

Given all that's transpired over the past 11 months, Shelby said he's troubled by the fact that Idris has challenged the administration's missile attack--and that the administration hasn't been able to sufficiently respond.

What is to be made, in the end, of the CIA's claim that a soil sample gathered near the plant contained EMPTA, in the face

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of the extensive negative results obtained by one of the most respected labs in the world?

"The strike at El Shifa was consistent with our national security responsibility to protect American lives worldwide," said David C. Leavy, a spokesman for the National Security Council. "We fully stand behind it. We had solid evidence that there was chemical-weapons-related activity going on at El Shifa."

The evidence, Leavy explained, included the soil sample containing EMPTA and a string of associations linking bin Laden's chemical weapons aspirations to those of the Sudanese regime.

Asked whether the government still believes Idris is a terrorist linked to bin Laden, Leavy cited the possibility of further litigation and said: "I'd rather not comment on that."

But Michael Barletta, a senior research associate at the Monterey Institute of International Studies, concluded in a recent paper on the El Shifa attack that the CIA's soil sample is hardly a "smoking gun," since the agency failed to follow the most basic testing protocols, including use of multiple labs to guard against false positives.

Barletta also concluded that the CIA has never adequately explained "the physical path or process by which U.S. officials believe EMPTA would have been dispersed outside the plant." EMPTA isn't volatile enough to travel in vapor form, he wrote, and there's no plausible reason why a plant drainage system would deposit EMPTA in the dirt so close to the facility.

More likely, according to Barletta, is that someone dumped a quantity of EMPTA directly into the soil to trump up evidence. But that possibility is problematic as well, he said, since a deliberate spill would have produced a much higher level of EMPTA than the CIA found.

In the end, Barletta concluded, El Shifa "may have been involved in some way in producing or storing the chemical compound EMPTA, which can be used in the production of VX nerve gas. However . . . the evidence available to date indicates that it is more probable that the Shifa plant had no role whatsoever in chemical weapons production."

Patrick Eddington, a former CIA photo analyst, said he has reviewed satellite imagery of the plant before and after the strike released by the Pentagon and found no indications whatsoever of military fortifications typical of chemical

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weapons installations. His opinion: El Shifa was a pharmaceutical plant.

Milt Bearden, the former CIA station chief in Sudan and a leading critic of the El Shifa attack, is far more blunt. "It doesn't take Barry Scheck to call the science into question," he said, referring to O.J. Simpson's expert in legal forensics.

And the fact that the agent who obtained the dirt reportedly came from Egypt, Bearden said, also raises a red flag, given Egypt's antipathy toward Sudan, a possible motive for providing false evidence. But the real failure here, Bearden maintains, lies with the White House for targeting the plant, not with the CIA and its "handful of dirt."

Bearden believes the CIA never recommended targeting El Shifa, a decision he attributes to policymakers at the White House and Pentagon.

"There's something wrong here," Bearden said. "This won't go away."

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Security Council

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A/54/214
S/1999/867
10 August 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Item 10 of the provisional agenda*
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Fifty-fourth year

Letter dated 10 August 1999 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a letter from Senator Sartaj Aziz, Foreign Minister of Pakistan, on the shooting down by India of an unarmed Pakistan navy aircraft, which was on a routine training flight inside Pakistani territory on 10 July 1999 (see annex). All 16 crew members on board died. This grave act of provocation by India is a severe setback to our efforts to reduce tensions in the region.

I would be grateful if this letter and its annex could be circulated as a document of the General Assembly, under item 10 of the provisional agenda, and of the Security Council.

(Signed) Inam UL HAQUE
Ambassador
Permanent Representative

* A/54/150.

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Annex

Letter dated 10 August 1999 from the Foreign Minister of Pakistan addressed to the Secretary-General

I have the honour to state that on the morning of 10 August 1999, Indian military aircraft shot down, without provocation, an unarmed aircraft of the Pakistan navy that was on a routine training flight inside Pakistan airspace, east of Karachi. The wreckage of the plane has been found on land two kilometres inside Pakistani territory.

The Government of Pakistan has lodged a strong protest with the Government of India concerning this blatant and unprovoked act of military aggression, which is a flagrant violation of the international norms relating to the inviolability of international frontiers, as well as the bilateral agreement between Pakistan and India on the prevention of airspace violations of 6 April 1991. This aggression has resulted in the loss of 16 naval personnel including 5 officers who were on a training mission. This cold-blooded murder deserves strong condemnation by the international community. The responsibility of this wanton and cowardly act rests squarely with India. Pakistan reserves the right to make an appropriate response in self-defence.

Sartaj AZIZ

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Security Council

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GENERAL

S/1999/868
10 August 1999

ORIGINAL: ENGLISH

LETTER DATED 10 AUGUST 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo covering the period 1 to 27 July 1999.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Monthly report to the Security Council
on the operations of KFOR

1. Over the reporting period (1-27 July) there have been significant changes in the size, composition and movement of forces, and the strength of KFOR has increased by approximately 50 per cent since the last report. As of 27 July, the total number of troops in theatre was 42,784.

2. Canada, the Czech Republic, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Spain, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America have completed their deployment into theatre. The Danish advance party is currently deploying together with the Portuguese contingent. Belgium and Norway are still to deploy. Deployment is expected to be complete by late September.

3. A large number of both partner and non-partner nations are scheduled to participate in KFOR. The Russian Federation has currently deployed 3,017 out of a final total of 3,600. The Russian elements that temporarily left SFOR to go to Pristina airport have now returned to Bosnia to resume their normal tasks. To date, the final Russian boundaries within Multinational Brigades (MNBs) North, South and West are still under discussion, but Russian troops are already conducting joint patrols with other KFOR troops. The United Arab Emirates currently has 100 troops on the ground. Finland should complete its deployment by the end of August, and Austria and Sweden will deploy in September and October 1999, respectively.

Security

4. The situation in Kosovo remains very tense and volatile, and this continues to cause difficulties in providing security for ethnic minorities. There have been random, isolated actions against KFOR personnel, as well as continued reports of reprisals by ethnic Albanians against minorities, which has caused a significant exodus of the Serb minority. The most serious incident occurred in Gracko on 23 July when 14 Serbs were killed. Areas where Serbs and Albanians are physically separated, but still close to each other, represent places where the situation can quickly turn violent and may pose a threat to KFOR personnel. There has been an increase in the attacks on symbols of Serb culture, such as Orthodox churches.

5. As of 27 July, a total of 194 civilians had been killed since the entry of KFOR into Kosovo. Of this total, 73 were of Serb origin (37.6 per cent), 72 Albanian (37.1 per cent), 5 Gypsy (2.5 per cent) and of unknown ethnic origin (27.8 per cent). Twenty-one persons have been detained on suspicion of these murders.

6. KFOR works closely with the United Nations Mine Action Service (UNMAS) and has jointly established the United Nations Mine Action Coordination Centre (UNMACC) to maintain visibility on the mines and the unexploded ordnance threat in Kosovo. Upon entry into Kosovo and prior to establishment of UNMACC, KFOR

organized a Mines Action Centre, which has since been augmented by United Nations personnel and has now become UNMACC. This is now fully functional and charged by the United Nations with demining the region. It accomplishes this task using civilian contracted demining teams. KFOR is principally conducting mission-essential mine and unexploded ordnance clearance, including clearance of essential civilian infrastructure and public buildings.

7. Separately, the UCK has formally stated that all UCK mines laid during the conflict have been removed. Negotiations continue between the Serbs and KFOR on the best time for VJ soldiers to return and remove their minefields in conformity with the Military Technical Agreement of 9 June 1999. In general, although progress is good, there remains a significant amount of clearing and demining to be completed.

Cooperation and compliance by the parties

8. By K+7 (28 June) UCK was to establish secure weapon storage sites, registered and verified by KFOR. UCK was also to establish, by that date, assembly areas for their personnel. UCK is assessed as mostly compliant on the limitation to carry weapons and use uniforms only within those assembly areas.

9. After K+30 (21 July), all UCK personnel not of local origin should have left Kosovo, but this has been assessed as not fully accomplished. Also by the same date, all heavy weapons, 30 per cent of all small arms and all ammunition should be stored in the weapons storage sites. It is assessed that UCK has so far not complied fully with the K+30 deadline, and has resorted to cross-border smuggling of weapons. It should be kept in mind that many of the figures on UCK weapon holdings came from UCK sources. It is clear that not all ammunition has been stored. KFOR is assessing these omissions through the Joint Implementation Commission process. Sixty per cent of UCK weapon holdings should be in storage sites by K+60 (20 August), and all UCK weaponry by K+90 (19 September). By the same date, all UCK forces are to have completed demilitarization and are to cease wearing either military uniforms or UCK insignia. Overall, therefore, the UCK declaration of total weapon holdings handed to KFOR on K+30 is assessed as falling short of their actual overall holdings. However, progress is being made, and the slow rate of turn-in of weapons may be attributed to poor communications within UCK.

10. Serb security forces have complied with the terms of the Military Technical Agreement. There is, however, a suggestion that some MUP elements may have remained in Kosovo, in Serb areas, to monitor the situation.

11. Joint Implementation Commission meetings have been held regularly every week at KFOR headquarters. These focus exclusively on KFOR-UCK issues and have not included negotiations with VJ. Attendance includes COMKFOR, KFOR Brigade Commanders, the UCK "Chief of General Staff" and his seven "Zone Commanders".

Cooperation with international organizations

12. KFOR continues to provide humanitarian assistance to the international organizations/non-governmental organizations on a daily basis and upon request, focusing on transportation, distribution of food, medical support,

re-establishment of support services, and the protection and escorting of refugees and internally displaced persons.

13. Throughout Kosovo, the MNBs have provided support to the International Tribunal for the Former Yugoslavia by logging, reporting and subsequently preventing interference with sites of suspected war crimes.

14. Five detention centres for common law criminals are being guarded by KFOR forces.

15. KFOR has been providing assistance with the collection and assessment of applications for the Kosovar Police Service, and has also helped with construction and other preparation work for the new Kosovo Police School. Although there is some way to go before the United Nations Interim Administration Mission in Kosovo (UNMIK) can assume full responsibility for the policing of the province, joint KFOR/UNIP patrols have already started.

16. In order to ensure effective and sustainable control, KFOR MNBs have deployed checkpoints on the main border-crossing points from Kosovo to the former Yugoslav Republic of Macedonia and Albania, primarily to prevent the illegal traffic of weapons and military equipment. Helicopter-borne reconnaissance and quick reaction force missions have also been conducted in western Kosovo against smuggling and looting operations across the Albanian border. KFOR remains concerned over the lack of proper immigration controls, a situation that allows Albanian nationals to indulge in criminal behaviour in Kosovo. Once United Nations border security units are in place, they will assume responsibility for border security; however, KFOR support to UNMIK in anti-smuggling/looting operations will continue.

17. KFOR is strongly supporting UNMIK by providing support for the interim civil administration until UNMIK assumes full responsibility. KFOR is represented at all levels of civil administration and works closely with UNMIK civil administrators. Daily coordination meetings have been established. KFOR assisted UNMIK in setting up the UNMIK Situation Centre in Pristina. This provides a vital crisis management and information hub for the Special Representative of the Secretary-General and a continuous communications link to KFOR. KFOR also provides representatives to work directly with the senior UNMIK civil administration officer at each administrative level. KFOR and UNMIK representatives hold assessment meetings every 14 days to identify any problems with the transfer of responsibilities.

18. KFOR continues to provide assistance throughout Kosovo to reconstruct various infrastructure systems. KFOR troops are currently involved in such tasks as sanitation disposal, securing water supplies, bridge operations, power restoration, manning fire trucks, reconnoitring basic infrastructure systems, and many others. The road systems throughout Kosovo are rapidly returning to pre-conflict condition, and most areas are accessible to truck traffic. Rail transportation has resumed, and non-governmental organizations are starting to use trains for transporting bulk goods and building supplies. Pristina Airport is currently handling mainly military traffic, but is also capable of handling limited civil traffic. KFOR is also working with non-governmental organizations, through UNMIK, to repair schools and have them ready to open by

the beginning of September. The largest project accomplished by KFOR with respect to civil military cooperation is the Urban Task Force Coordination Unit "Working Groups on Urban Issues". This provides a local clearinghouse for all projects and assessments, to facilitate coordination and eliminate costly duplication.

Outlook

19. Since the deployment of KFOR, the initial exodus of Serbs has been reduced as the result of KFOR efforts to provide a secure environment. The main aims of KFOR have been the restoration of law and order and the protection of the Serb and other minorities, together with the demilitarization of UCK. The killings, looting and arson of the first days following the VJ/MUP withdrawal have shown a tendency to diminish over the last 15 days, and KFOR patrols strive day and night to prevent these actions from happening. However, notwithstanding KFOR efforts, acts of harassment and crime between ethnic groups continue to happen, affecting mostly the Serb population. KFOR will continue to work in close cooperation with UNMIK to address these and other issues to maintain peace and stability in Kosovo.

UNITED
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S/1999/869
12 August 1999

ORIGINAL: ENGLISH

LETTER DATED 10 AUGUST 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward enclosed herewith, the White Book of documentary evidence of NATO Crimes in Yugoslavia, 24 March-24 April 1999, issued by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia.*

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

UNITED
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Security Council

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S/1999/870
10 August 1999
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 10 AUGUST 1999 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that, between 1 and 7 August 1999, United States and British aircraft, taking off from their bases in Saudi Arabia, Kuwait and Turkey, continued to violate Iraqi airspace, carrying out acts of aggression, observation and provocation, as specified in the list annexed hereto.

I should be grateful if you would intervene with the United States of America, the United Kingdom and the States - namely, Saudi Arabia, Kuwait and Turkey - that are providing the facilities that enable them to commit these acts of aggression, with a view to halting them. Such acts endanger the sovereignty and territorial integrity of the Republic of Iraq and constitute blatant violations of the Charter of the United Nations and the rules of international law.

These acts continue to cause hundreds of deaths and injuries among the civilian population and material damage to private and public property. The logistical support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes them essential accomplices in the aggression against Iraq, and they therefore bear international responsibility for these acts. The Republic of Iraq reaffirms its right to demand reparation for the harm inflicted on the Iraqi people through the aforementioned acts.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative

Annex

Details of violations of Iraq's airspace by United States and British aircraft and damage caused, 1-7 August 1999

1. In the northern region, 58 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, over the following Iraqi cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Tall Afar, Irbil, Zakho, Baibo, Ayn Zalah, Tall Kayf, Sinjar, Rawanduz and Ba'shiqah.

2. In the southern region, 283 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Basra, Amarah, Artawi, Jalibah, Salman, Busayyah, Lasaf, Qurnah, Afak, Qala't Salih, Qala't Sukkar, Rifa'i, Ushbayjah, Shinafiyah, Qadisiyah, Ali al-Sharqi, Hayy, Hawr al-Hammar, Maymunah, Rumaythah, Taqtaqanah, Shu'aybah, Najaf, Shatrah, Ansab, Rifa'i and Umm Qasr.

3. At 0645 hours on 1 August 1999, formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s and Tornadoes, and were supported by two AWACS command and control aircraft from inside Saudi airspace. The aircraft carried out 14 sorties from Saudi airspace, overflying the Ushbayjah, Lasaf and Taqtaqanah south areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1030 hours, drove them off.

4. At 1055 hours on 2 August 1999, formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, F-18s, Tornadoes and EA-6Bs and were supported by two AWACS command and control aircraft from inside Saudi airspace and one E-2C aircraft from inside Kuwaiti airspace. They carried out 54 sorties, of which 14 were from Saudi airspace. The aircraft overflew the Salman, Nasiriyah, Samawah, Rifa'i, Qala't Salih, Jalibah, Artawi, Busayyah, Khidr and Qala't Sukkar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1815 hours, drove them off.

5. At 1030 hours on 2 August 1999, United States and British F-14, F-15, F-16 and Tornado aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out 20 sorties, and overflew the Irbil, Dohuk, Tall Afar, Zakho and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1340 hours, drove them off.

6. At 1115 hours on 3 August 1999, formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, F-18s, Tornadoes and EA-6Bs, and were supported by two AWACS command and control aircraft from inside Saudi airspace and one E-2C aircraft from inside Kuwaiti airspace. The aircraft overflew the Lasaf, Ushbayjah, Salman, Busayyah,

Jalibah, Artawi, Basra, Faw, Hawr al-Hammar and Darraji areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1845 hours, drove them off.

7. At 1105 hours on 3 August 1999, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They were supported by an AWACS command and control aircraft from inside Turkish airspace. The aircraft carried out 20 sorties, and overflew the Dohuk, Aqrah, Tall Afar, Baibo, Amadiyah, Zakho, Rawanduz, Ayn Zalah and Mosul areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1435 hours, drove them off.

8. At 1030 hours on 4 August 1999, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory, supported by one AWACS and one E-2C command and control aircraft from inside Saudi airspace, penetrated Iraq's airspace in the southern region. They carried out 50 sorties, 26 from Kuwaiti airspace and 24 from Saudi airspace. The aircraft overflew the Samawah, Lasaf, Salman, Ushbayjah, Rifa'i, Nasiriyah and Hawr al-Hammar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1815 hours, drove them off.

9. At 1105 hours on 4 August 1999, formations of United States and British aircraft coming from Turkish territory, supported by one AWACS command and control aircraft from inside Turkish airspace, penetrated Iraq's airspace in the northern region. They carried out 18 sorties, overflying the Dohuk, Tall Afar, Mosul and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1200 hours, drove them off.

10. At 0905 hours on 5 August 1999, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory, supported by one AWACS command and control aircraft from inside Saudi airspace and one E-2C aircraft from inside Kuwaiti airspace, penetrated Iraq's airspace in the southern region. They carried out 28 sorties, 10 from Saudi airspace and 18 from Kuwaiti airspace. The aircraft overflew the Artawi, Samawah, Suq al-Shuyukh, Ushbayjah, Nasiriyah, Qurnah, Rumaythah, Rifa'i, and Shatrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1020 hours, drove them off.

11. At 1040 hours on 7 August 1999, formations of United States and British aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. These formations included F-14s, F-15s, F-16s, Tornadoes and EA-6Bs, and were supported by one AWACS and one E-2C command and control aircraft from inside Saudi airspace. They carried out 20 sorties from Saudi airspace, overflying the Artawi, Basra, Qurnah, Lasaf, Jalibah, Nasiriyah, Amarah, Salman, Shinafiyah and Ma'ayanah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1750 hours, drove them off.

12. At 0825 hours on 8 August 1999, United States and British F-14, F-15 and F-16 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They were supported by two AWACS command and control

from Kuwaiti airspace, overflying the Ma'ayanah, Ushbayjah, Khidr, Artawi, Salman, Samawah, Nasiriyah, Rifa'i, Qala't Sukkar and Jalibah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 2015 hours, drove them off.

13. At 1045 hours on 8 August 1999, formations of United States and British aircraft coming from Turkish territory, supported by one AWACS command and control aircraft from inside Turkish airspace, penetrated Iraq's airspace in the northern region. They carried out 18 sorties, overflying the Rawanduz, Dohuk, Aqrah, Sinjar, Mosul, Baibo, Amadiyah, Tall Afar, Irbil and Qala't Dizah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1340 hours, drove them off.